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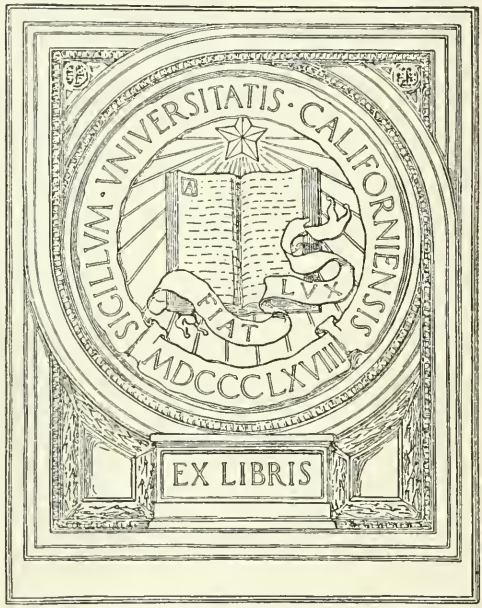

ROBERT ERNEST COWAN

THE WAY OUT

Has a Man a Right to Sell His Labor in the Open Market For Any Price He Pleases? NO.

If He Does So, Does it Concern Anybody Besides Himself? YES.

BY D. WILMOT SMITH

"Don't read it. It is bad."—*Republican Press.*
"It is a lie."—*Democratic Press.*
"It is heresy."—*Religious Press.*
"It is dangerous."—*The Bench.*

"DON'T WORRY, SMITH— ITS ALL RIGHT."

PRICE 25 CENTS

THE JAMES H. BARRY COMPANY

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PREFACE.

If you do not want to hear Truth, do not read this book.

If you love Truth, the book will not offend you.

When anybody undertakes to speak in public, or write, concerning present industrial conditions, those who profit by the conditions prefer that he does so in such general terms that it amounts to twedle-de-de and twedle-de-dum, because those who listen or read, will have no more idea when he has finished, as to what is to be done to correct wrongs, than they had before, and the profit-takers have no fear of being disturbed.

This book does not discuss the wage question in general terms to befuddle folks.

It says something, and says it plainly, so all may understand.

It strikes a chord not struck before.

It exposes a great Wrong that for centuries has palmed itself off as a great Right.

It denies that a man has a right to sell his labor in the open market for any price he pleases.

In doing so, it tears the mask from the face of the devil, as it were, who for ages has deceived the people into worshipping him as God.

The exposure operates against the private interests of a selfish class, and naturally they do not like it. Therefore, when you hear them say hard things against the book and its author, you will know what ails them.

There are two kinds of people in the world—one has a conscience and the other has none.

This book was written for the kind with a conscience. That kind wants to do right and will be ruled by Reason.

The other kind don't want to do right, unless they have to and can't be ruled except by Force.

Force has no effect on those who demand Reason, nor has Reason any effect on those who require Force; therefore, the book supplies Reason for one kind and prescribes Force for the other.

Its scope is: The Wrongs of the Hired Man; His Rights and Remedies and How Society is Concerned.

His Wrongs are: Unjust Wages, Conditions and Hours.

His Rights are: Just Wages, Conditions and Hours.

His Remedy is: Law and Society is concerned in protecting him in order to protect itself.

Respectfully submitted,

D. WILMOT SMITH.

San Francisco, Cal., August 4, 1904.

THE WAY OUT.

HAS A MAN A RIGHT TO SELL HIS LABOR IN THE OPEN MARKET FOR ANY PRICE HE PLEASES?

IF HE DOES SO, DOES IT CONCERN ANYBODY BESIDES HIMSELF?

Most people would say: "Certainly it is his right, and it is nobody's business but his own."

But do they say this because they know it, or because they have been raised to think so and because it has been the custom for every man to sell his labor for any price he pleased?

It will not always do to uphold a thing because custom has sanctioned it, nor because everybody says it is right; and this may be one of the things about which people have been and are mistaken. So far as I know, no one has ever thought to question it, nor has anyone gone down to the root of it and laid bare the foundation principles for us to look at on which it rests. Nor has anyone shown the relation, which the alleged right bears to the welfare of society, as a reason for upholding it. The most that has ever been said is the general assertion that *it is right*, and each generation has repeated it without any investigation to see if it was well founded, but simply because others said so.

The reader will remember that history tells us the people at one time thought the earth was flat and had four corners.

They were so sure of it that when Giordano Bruno investigated the truth of the prevailing belief and told them it was not true; that the earth was round and had no corners at all, they got so excited and angry that they would not let him live and teach such stuff, so they chained him to a stake and burnt him to death.

I do not fancy anybody would want to burn me at the stake for disputing the right of any man to sell his labor for any price he pleases, although I expect to get pretty well "roasted" by certain newspapers for doing so.

I do not take a contrary view of this question because I wish to quarrel with anybody, nor because I wish notoriety, nor because I wish to make money out of it. I take it because after investigating the labor troubles that have been constantly agitating the country, I think I see where the root

of all the mischief is, and wish to point it out, so men in authority can find it and then get out their legislative and judicial axes and go and cut it off.

I realize I am tackling the prejudices of a great many people, but if that root is where I say it is, and I shall hope to give reason sufficient to prove it, then it is my duty to speak, no matter what anybody or any number of them may say.

Now, to get a good, fair, square start, and no misunderstanding, you say "a man has a right to sell his labor for any price he pleases," and I say, "He has no such right."

Again, you say: "It concerns nobody but himself," and I say: "It concerns everybody as well as himself."

The right answer to the first proposition must depend upon which is the right answer to the second proposition; for if it does not concern anybody besides himself, then you are right in saying: "It is his right to sell his labor for any price he pleases."

If, on the other hand, as I say: "It concerns everybody as well as himself," then, as a matter of course others, being interested, have the right to have something to say as to what price he shall sell his labor for, and if *they* have that right, it follows that *he does not* have it.

Is that true or not?

The question now is, *who* are concerned in the price a man sells his labor for, and *how* are they concerned? I have said *everybody* is concerned, and if that is so they naturally ought to know and ought to want to know why, how, and all about it.

In discussing the rights of those who sell their labor and how the exercise of their privilege to do so concerns others and the relations that exist between employer and employee, I do not propose to rely upon any goody-goody rot to sustain my case. I shall take the ground right from the start that, under the present system of getting a living, no man has been, is, or will be strictly honest or just in dealing with other men, except through fear. Not all fear the same thing, but all fear something. With some it is public opinion, with others the law, and others hell. I shall insist that Force is the only power that can be relied upon to stop men from taking advantage of each other when they get a chance.

Oppression, lying, cheating and stealing are born of either selfishness or necessity. Destroy these and such things will not be heard of. Force-law is the only thing that will do it.

Law can make a selfish act *unprofitable* and when it becomes unprofitable nobody will be selfish, and when no one is selfish, necessity will be destroyed.

Law is force, and the object of law is to force people to do right, who will not do right without it. It don't coax, it commands; and as there is no wrong without a remedy, it follows that, if selfishness that injures another is wrong, there is a way to stop it.

Can you think?

If so, do it. Do not take what I say or what anyone says. Pick out what is not true. Read! Think! Form your own opinion. Do not "believe." Get a *conviction.* There is force in a conviction, in a belief. there is none. Rich or poor, it is all the same, if you eat you are interested; if you do not, you are not. Now, the fact that everybody has always conceded the right of everybody else to sell his labor for any price that pleased him, shows on its face that nobody considered it concerned him personally; and, as nobody was personally concerned, nobody cared whether another was properly or improperly paid. If he starved it was all right, if he made money it was all right. In one event he was pitied, in the other congratulated or envied, and all because they were ignorant of the relation that actually existed between his thrift from receiving just wages, and their own.

If, however, they had realized that when a man consented to work for less than *reasonable* wages he was not only wronging himself, but them, too, they would have felt differently about it. They would have interferred and put a stop to it.

But they did not realize it. Its effects came to them something like the tariff on imports, which people used to be told and believed was paid by the foreigner, who sold his goods in this country. They did not think deep enough (strange as it may seem) to see that the foreigner added the duty to the selling price, and when they purchased his goods they refunded to him the sums he had paid as duties.

And so with wages; when an employer got help for less than reasonable wages, others could not see that to the extent he underpaid his help he kept in his pocket money which, if he had been just, would have improved the conditions of those he hired by going to them and then into general circulation, thus helping all others and preserving a more just distribution of wealth. The present effect of those things was small, insidious and imperceptible. It came—like the tariff—in such a round-about far-off way that they did not notice it, nor did they hold up their heads and take a long look ahead to see its effect on the future, if left go on. Perhaps, however, each thought: "Oh! I will be dead by that time," and if he realized the wrong, consoled his conscience with the reflection that evereybody was doing the same thing, besides it was not made a criminal offense to get the best of the hired man, and if it was a moral offense, each excused the other because all were perfectly willing to be guilty of it when conditions favored.

"Sufficient unto the day is the evil thereof" seemed to fit their case, so, when they got a chance to make a dollar by getting work done cheaper than they could if they had been just to the man who did it, no one was disposed to let the opportunity pass; he seized it. The accumulated effects of

this perpetual unjust practice, when looked at a hundred years ahead could not be anticipated probably at that time. They likely never dreamed the little that men could save or make off of hired help, could grow into such great fortunes as we see to-day. They little dreamed that the little insignificant sums in wages they wronged the hired man out of could be the means of so much mischief, or that they had launched a system that contained the germ and secret of the enormous Trusts and Monopolies of the present. But it was true, nevertheless.

Every dollar that is invested in all the railroads, street-car lines, telegraph and telephone lines, ships and steamers, canals, big mills, factories, mines, buildings and machinery on earth, came from Profits on the *Hired Man's labor;* that is, they repreesnt the total wages he earned and should have received, but did not get.

CUSTOM CANNOT MAKE WRONG RIGHT. A MIND THAT HAS STOPPED GROWING NEVER INVESTIGATES.

Men have so long been accustomed to selling their labor for any price they pleased, and other men have so long been accustomed to buying it without interference, that all have come to blindly accept those privileges as *fundamental* rights, not to be questioned.

It is strange how readily we accept some things as true and right, without proving them, just because others have so regarded them; but it is stranger still that, when some one points out why they are false and wrong, we turn away and refuse to listen or to investigate.

Such actions cannot be the result of conservative thought, for a conservative person is one who investigates the new as well as the old but honestly doubts, and therefore refuses to change. They cannot be the result of a lack of desire on the part of the people to know a truth that would better their condition, for surely all would be glad to see that done if they only knew a way. I can account for them on no ground except selfishness and stupidity, and no one will plead guilty to either of these. Wherever it is, I fancy the conservative, the selfish, the stupid and all others will agree that, every generation has stumbled over many simple truths and never noticed them, and because it did not, kept right on in the old way, making the conditions of life harder and harder, when each might have made them easier and easier and left a legacy of better conditions to the next one instead of some they did.

That because of their failure to recognize or refusal to be governed by truths that underlaid and were absolutely essential to the welfare of society, this generation is several centuries behind in social progress, what it should be.

Whether people see it or not, the questions asked at the beginning of this book, involve principles of human conduct which underlie and are essential to the welfare of society; and if this generation shall be too blind, stupid or selfish to discover them and act on them, it will not only make the conditions of life harder for itself, but it will, in its turn, leave to the next, conditions more oppressive than any heretofore left to any generation.

I do not expect those who already know it all, to read what I write. The minds of those who "know," have got their growth, and a mind that has stopped growing has quit investigating.

Nor do I expect those who are mean enough to want to get ahead by underpaying or overworking their hired men to

read me or agree with me. They are satisfied with things as they are. They do not want the pesent system disturbed or criticised. It upholds them in robbing the hired man out of part of the money he honestly earns and should receive, as just wages for his labor.

There are two classes of people, who will read this and be interested in it.

First. Those who work for wages; and

Second. Those who do not, but are great enough to feel interested in the welfare of those who do, and want to see them fairly paid.

The first class will be interested, because it concerns their bread and butter, their health, happiness and life.

The second class, because of their love of humanity and fair play and because they see in the constant wronging of those who toil, the gradual destruction of those finer qualities of head and heart necessary to the development of a nobler race of men and women, instead of the improvement of them to guid the world along more safely and swiftly in the direction of greater general security and happiness.

The good, which these two classes wish to see accomplished, is a Divine justification for their interest.

The wrongs, which those who will take no interest wish to perpetuate, are a devilish justification for their lack of interest.

The latter will contend, of course, that they do not seek to perpetuate any wrongs, and will rely upon the great length of time it has been the custom to hire men in the open market at the lowest price, regardless of fairness, to support their selfish contentions; but they forget that custom can never make a wrong right, no matter how ancient it is.

THE BEGINNING OF THE CUSTOM.

Away back, when population was scarce and a large part of the world remained to be occupied and cultivated; before large portions of it were even discovered; when unknown islands and continents were still awaiting the coming of men and women to people them, make homes, build cities and found nations; before there were, anywhere, great farms, factories, mills, mines, stores or ships, and all industries were carried on on a small scale; before the days of machinery, when all things were made by hand; when the ways of life were simple and the things required to make the simple people contented and happy were limited; in those days people exchanged work or worked for each other as a matter of accommodation; or because they did not care to work for themselves, or to get a little start before going into business for themselves.

If wages were asked or paid, they were necessarily what would be equal, at least, to the value of the services of the person, if working for himself, or sufficient to attract him to work for others instead of for himself.

The reasons for that state in regard to wages lay in the fact that a great, free unclaimed world was lying before men, presenting vast and various opportunities for individual adventure, effort and enterprise that always promised to reward them with abundant supplies for individual wants.

There was no such thing as competing with each other to get the same job of work, except, perhaps, among those who lacked the push to strike out for themselves; and as that was before the birth of greed and great fortunes, no one needed very much money to begin business for himself. Every man's hands, with his small kit of tools, was a *factory*.

Every cross-road, with its poorly-equipped shops where things were made or repaired, was a *commercial center*.

True, there was competition, but it was not the competition of capital. The small capital required to do business was within the reach of all, and no man was forced out of business by his neighbor by the power of money.

Competitors relied for success upon their superior skill as workmen, their fair dealing, prompt attention to business, obliging manners and general honesty.

So I say, at one time, when no country was so thickly populated and land was abundant; when the methods of doing things were crude and work plentiful, it was impossible for laboring men to crowd each other; and, not being crowded, there was nothing to force them to think of the fundamental principle affecting their welfare and the welfare of society, for which I am now contending, namely, "No man has a right

to sell his labor for any price he pleases," and not being *forced* to think of it, no body thought of it.

The conditions necessary to make them think had not yet developed.

The time had to come when machinery was taking the place of hands and fingers, as it does to-day; when the vacant lands were all occupied, as they are to-day; when the machinery, tools, factories, mills, mines and lands were all owned by a FEW, as they are to-day; when there were so many to do the work that they must compete with each other for places and be forced by necessity to agree to work for less than enough to properly live in order to get them, as they are doing to-day; when many could get no work at any price and were starving as they are to-day; when men were being driven from home and State by militia and corporation hirelings as they are to-day in Colorado. Those were the conditions that were necessary to make men stop and think, and now that they are here, they are thinking.

A necessity has arisen; it is a necessity for something to eat in many cases and in others something better to eat; for clothes, shelter and other things that make life fairly comfortable and enjoyable; and to procure these, work is necessary and at wages that will buy them, and neither is obtainable. This is not exaggerated, although I wish it was; it is true, awfully true. Interview laboring men in every class, and they will nearly all tell of a fruitless hunt for work and of wages insufficient to support a family.

These are the forces at work that set men to thinking, and that will always do it when everything else has failed. Deprive them of the necessaries of life, or make them work hard and then not be able to get half enough, although they see plenty all about them, and they are liable to get to thinking something is wrong and begin to wonder what it is and try to locate it. That is what they are doing now. They know they are in trouble about work and wages, and that trouble is always the result of a wrong somewhere, and unless they take pains to hunt it up they will never know the remedy.

For years political parties have told them to look, first this way and then that; to do this, then that, and they would surely see the wrongs that beset them and the way to right them. But it was not true; the wrongs grew worse and worse, and the ways of righting them less and less apparent. It was all a lie. Work has steadily become scarcer relative to the number of men who want to do it, and wages are no better.

Laboring men continue to fight each other over getting the vacant places, and with their employes over securing more favorable terms.

Many of them, in their bewilderment, have even located

their grievances at the door of genius and wished to destroy the machinery that displaced them.

But for every wrong, there is an adequate cause, and must be an adequate remedy; some time they will discover both, and then, let those responsible for their miseries stand from under.

The fact that troubles have existed and do exist between the hirer and the hired is all the proof needed that wrongs have existed and do exist.

Were there no wrongs, there would be no troubles.

Employers and employees would be getting on smoothly together; there would be no strikes, lock-outs or boycotts; everything would be harmonious and peaceful and everybody prosperous, satisfied and happy.

The thing is, therefore, to discover the cause of the wrong and to right it. The wrong certainly exists and it is certain that it had a beginning.

If we take the United States from the time of the Colonies, and consider what has been the rule as to wages from that time to the present, we shall discover the mistake made in this country that has necessarily led to all the troubles that have occurred over wages, and hours consituting a day's work; and if we do, the same discovery will apply to the same troubles all over the world.

We shall at the same time discover the course, which, if it had been pursued, would have minimized those troubles and settled such as arose, in a legal and satisfactory way.

The concentration of capital for the economical conduct of the business of the country, would not, as it has done, have necessitated the organization of hired men to protect themselves against the greed of the capitalist. The hired man would have always had a constant friend in the law and courts, which would have guarded his rights and done justice, and the whole country would have felt the benefit of the right way.

WASTED EFFORT AND THE COMPETITIVE SYSTEM.

An assault upon the competitive system is not the object of this book, so the defenders of the system need not quit reading on that account; nor is the reform I advocate based upon the destruction of that system; on the contrary, it naturally goes with it, and the continuation of the system is what furnishes the reason for this reform to accompany it, while it lasts, for the protection of hired men.

However, I find it necessary to have something to say of it, in order to make clear what I wish to say of those who cry peace! peace! to men struggling for a living and gain, when there is and can be no such thing as peace in the industrial world under the system.

Personally, I abominate competition as a curse to the welfare of the world, so do not look for me to speak very kindly of it; but remember, it is the system itself I condemn, not you who think it a good thing. Even if you are mistaken, you are not to be censured; you are to be given credit for honest convictions, whatever they may be, and in time there is hope that we will both get right and agree.

Religionists, sentimentalists and other well-meaning people may preach, exhort and lecture until doomsday, to get men who are in business for profits, to observe the golden rule, "do unto others as you would have others do unto you." But their efforts are wasted—absolutely wasted; because no matter how much people would gladly follow the advice, the competitive system compels them, for self-protection, to disregard it, and they will disregard it. Nobody will knowingly do that which will hasten his own destruction.

They should realize that we have been, and still are, living and working under the destructive and murderous competitive system; that our laws always have and still do recognize that system as right and proper, and most of our people frown upon every effort to abolish it.

They are so set and prejudiced in its favor that they will not have it, if there is any other or better way, although they know it is a "dog-eat-dog" system, and all have suffered by it.

They know its motto is for everybody to cinch everybody else, and its command is "gobble all you can; all in sight or out of sight; spare no one; get ahead; look out for yourself, first, last and all the time; success is the only thing that counts, no matter how you get it."

Success is respected, honored and bowed to and no questions asked; even the preachers get on their knees to it.

Everybody knows that competition encourages and fosters every manner of trick, deception and dishonest practice, yet everybody upholds it and says it is right.

AND THE LAW! Although its courts are constantly occupied in unravelling the tangles and solving the troubles competition gets people into, and in determining the guilt or innocence of some over-zealous person who has too openly robbed somebody, solemnly approves of it as a fundamental principle of human conduct, necessary to the wellfare of mankind.

It says it is right, then sits in judgment on some poor devil it has driven insane.

It says it is right, then builds soup houses to feed those it has robbed.

It says it is right, then buys poor-farms to care for its victims until they die.

It says it is right, then erects a gallows to hang some one it has driven first to steal, then to murder.

It builds school houses to teach young children to be good and make good citizens, and when grown, turns them loose and tells them to get a living by rustling and getting the best of each other whenever they can.

It tells every man to make use of competition to do all the deviltry he can so long as he keeps out of jail "by the skin of his teeth" or otherwise.

In short, the law by unholding competition keeps lighting a fire with one hand and endeavoring to extinguish it with the other before it has done damage.

The truth is that, if HELL is a condition where people get no peace, then COMPETITION is hell, and it is responsible for the conditions which Rev. C. N. Howard, of Rochester, N. Y., says exist as follows:

"While the population of the country has increased three times, the crime in the country has increased twelve times. The United States is paying more for the support of criminal institutions than for both religion and education. In addition there is the expense of protecting people from the attacks of criminals without the jails."

Now, so long as the law, by unholding competition, rewards people who take advantage of others, that is, permits them to keep all they can get by fighting each other in every industrial walk of life; is it of any use to preach to them or lecture them and tell them they should not do so?

It is manifestly nonsense, and every sensible person ought to know it.

President Roosevelt stood with both feet on the very bottom foundation principles every nation must rest upon in order to be happy, prosperous and strong, when he said, in his speech at the State Fair in Syracuse, N. Y., September 7th, 1903:

"It is all essential to the continuance of our healthy national life that we should recognize this community of interests among our people. The wellfare of each of us is dependent fundamentally upon the wellfare of all of us. * *

We must act upon the motto of all for each and each for all."

In this speech he had reference to labor and capital. The trouble with the president's advice was that he did not say how such a condition could be brought about. Does he think people will "act upon the motto of all for each and each for all" or that "community of interest" is possible so long as the law recognizes competition as the right thing?

He certainly knows they will not and that it is not; and why so smart a man, who himself has, time and again, in his speeches (and he does in this same speech) endorse the competitive system, should advocate two courses of conduct for the people to live by that are so opposite and inconsistent with each other, is not easy to account for.

President Roosevelt is generally recognized by all classes as an able and incorruptible man. People generally would resent the imputation that he would resort to tricks of speech to fool them even if his life was at stake.

Then why is it that he stands by competition as right, and at the same time tells the people "we should recognize this community of interest among the people." "We must act upon the motto of all for each and each for all?"

If he fully understands the significance of the "all for each and each for all" motto or the "community of interest" doctrine (both of which mean the same thing) he knows the present code of laws is not adapted to practicing them; then why, knowing it is impossible for people to act on his advice, does he not say to them, "go and make laws that make these things possible. Change your constitution, if necessary, and let us 'each have that wellfare that depends fundamentally upon the wellfare of all.'"

What are constitutions and laws for if not to guard the wellfare of the people?

Do we look, or have we ever looked to anything but law to conserve our rights and stamp out wrong?

Do we expect people to do right just because the president, or someone else tells them they should? No! We know they will not. We know if they are told they should do this or should not do that, they will ask: "What is the law?" And if there is no law, they consider it is proper for them to do it or not as they see fit, and their actions are always governed by their personal interests as they see them.

If men will do right without law, then why have we laws? We know laws are necessary; that they will not do right without them, so we make laws to compel them to. Hence if anything is wrong that the law don't reach, let us make a law that will reach it and stop this foolishness of asking people to "please be good."

It is all right to cultivate in men a desire to do right purely for the love of right, but at the present stage of human development and methods of getting a living, if we want to feel certain they will do right, we must make a law relative to the matter and attach a penalty that they fear. All men

do not fear sermons or hell, but all have great respect for sheriffs and prisons.

So I say, those who are undertaking or hoping to bring about any substantial harmony or lasting peace between *labor* and *capital*, or between any set of men whose interests clash, by appealing to them to be humane, to be just, to be conscienscious, to be good, honorable and deal fairly, are simply undertaking and hoping for the impossible so long as these same men are compelled to fight each other for what they get in the field of competition.

Nor is this true because all men lack honor, conscience and kind hearts; it is true because it is the very nature of competition that every man must fight, and he can not make a successful fight unless he throws conscience and fair dealing to the dogs and goes in to win at any cost, even at the cost of his honor. It is either that or be crushed, and it is doubtful if even all those who advocate the conscience method of solving business differences could be relied on (if money was at stake) to always follow the advice they are so willing to give others.

Business men look upon the doctrine about being "your brother's keeper" as only meant for fools; and no matter what they profess on Sunday, they devote the six days following to devising ways and means to circumvent their neighbor.

If men were free to choose, then appeals to the heart and conscience might have some effect to shape their daily conduct; but no man is free whose living depends on competition, and every man's living depends on it. Like Esau, he knows every man's hand is against him, that uncompromising competitive business methods encompass him, and he is powerless to defy them without ruin to himself; so, with the exception of an occasional feeble protest, all accept it as an existing condition from which there is no escape, and fight each other like dogs over a bone. What for? To get, get, get more than they have any use for.

Is not such a condition shameful, disgraceful to a people layig claim to such high civilization? The President evidently sees something amiss in the competitive system or why should he remind those who are competing to not lose sight of the motto, but "must act upon" it, of "all for each and each for all." (?) But whether he sees it or not, it is the chief cause of all the misery in the world to-day, and its inevitable consequences are to increase it so long as it is permitted to remain a lawful condition of society.

Law cannot countenance competition and at the same time successfully counteract its natural effects.

If it recognizes it, it must expect the consequences. If it abolishes it the misery it causes will cease. If it is a good thing let us quit criticising those who practice it with success. If it is a bad thing, let us knock it out. It cannot be knocked out wth sermons, it must be done with Force—LAW.

HOW THE DOCTRINE THAT IT IS A MAN'S RIGHT TO SELL HIS LABOR FOR ANY PRICE HE PLEASES, GOT INTO THE UNITED STATES.

A NATURAL ERROR.

Anyone can easily imagine that, in the United States, say a hundred years ago when substantially the whole population was confined to a narrow strip along the Atlantic Coast and the almost boundless West offered every man a home and an easy living, it was the most natural thing in the world for people to fall into the error that it was right for every man to sell his labor for any price that pleased him, because all knew that, if any man was dissatisfied with his job, wages or employer, he did not have to stay; he could go out West and get a home of his own. The whole West was open to him.

As to one man interfering with another by cutting wages, it did not amount to anything for the reason that there was so much public land to go and live upon, nobody cared or questioned another's right to cut wages, or his right to work for less than reasonable wages, or the right of his employer to hire him for less than reasonable wages. Nobody was affected.

The unoccupied public lands and the new industries they fostered were always a vent and refuge for labor and the labor market was never overcrowded; employers were always obliged to pay reasonable wages to attract and keep the men they needed.

These were the conditions and circumstances that moulded the minds of the people and laid the foundation in the United States for the inculcation, retention and adoption of the unjust and fallacious doctrine, that, "*it is every man's right to sell his labor in the open market for any price he pleases, and it is nobody's business but his own.*"

To the people of a hundred years ago the West seemed to be boundless and the quantity of public land unlimited; they could not imagine at the time when it would be all occupied and no longer a refuge for men who wished to escape from crowded centers; certainly they did not imagine it would be so soon and most of them thought never. Therefore, there was no cause for doubting or even suspecting the wisdom of the doctrine; and if, as a matter of fact the West had been boundless and the public lands unlimited, if rich valleys, great mountains, forests, mines, rivers and rolling plains had continued on eternally, or if, as population increased and men required more land to enable them to escape oppressive condi-

tions, God should have created it for them, then the doctrine that a man may sell his labor for any price he pleases could never had done any harm. The objection I make to it would not apply.

But that was not the case. The West did have bounds, the public lands had limits and God had quit creating more. He made what there is and turned it oved to his children to manage to suit themselves, and they have done it. Part of them have appropriated to themselves every quarter-section that is worth having and none is left for the rest or for those yet unborn.

The same doctrine and rule as to one's right to sell his labor for any price he pleased had prevailed in the old countries, and those who emigrated to this brought it with them instead of leaving it behind along with other iniquitous errors and oppressions from which they had fled and hoped to escape by coming here, and readily joined in helping to make it a part of our law.

But in that matter, everybody, native and naturalized, had been educated to think the wrong way was right, and as the conditions of the new world were favorable to that view, and no crisis occurring in the labor markets to make them suspect it was wrong or caused them to investigate to discover its ultimate disastrous effects, they just settled down to practicing and upholding the wrong way.

Every circumstance and condition seemed to tend to obscure and keep back out of sight and thought the only doctrine and rule that would have always worked, and that could have always been relied upon to settle saisfactorily to all concerned, the wage question, in one generation as well as another or in one country as well as another, and without regard to whether there was any more public lands to be settled or not.

The trouble was the people in the early days were industrially so independent, they imagined all people would always be the same, or else they did not concern themselves very much about what degree of industrial independence others would enjoy; if they did, and could have looked ahead a hundred years and seen the great capitalist combinations of to-day arrayed against organized and unorganized hired men, on the single issue of *reasonable* wages; could they have seen rich, powerful and remorseless corporations making use of the very doctrine and rule which they helped to perpetuate as right, to despoil and oppress the class whose rights and interests the rule was supposed to safeguard; could they have seen them insisting on the rule because it enables them to make a profit off of the earnings of their underpaid hired men; seen them insisting that men wanting work shall be free to compete with each other as to wages to get it, not because they care for the wellfare of the men, but besause they want to go among them and take advantage of such

competition to hire those who will work the most hours for the least pay, regardless of whether or not the hours or wages are reasnable, or will support them comfortably or decently, or whether the men they employ voluntarily accept the terms or do so from sheer want and necessity; and insisting on their *legal* right to take that advantage; could they have heard the President of the United States the great (?) statesman of the country, the press and courts all upholding and encouraging the conduct and contentions of these capitalists as fundamental, just and lawful; and on the other hand, could they have seen the Labor Unions standing solidly together and heroically endeavoring to unite all hired men to resist such alleged rights to the extent of demanding for themselves *reasonable* hours and reasonable wages, and refusing to work unless their demands are conceded; could they have looked ahead and seen all these things, they certainly, in their great desire to make this country superior in every respect to every other on earth, and what they professed it was (the land of the Free) would have rejected the old rule that it is every man's right to sell his labor for any price he pleases, and tried to discover one that would not have placed him, because broke and hungry, completely at the mercy of those who would take advantage of his circumstances and refuse to hire him unless he agreed to work for little or nothing.

They would have tried to devise some rule that would protect *every* man and see that he got *reasonable* wages whether he was broke and hungry or not.

They might have compelled by law every employer to recognize the fact that, the labor of a broken man or hungry man did not come any cheaper than that of a man who was not broke or hungry, and therefore in a position to demand reasonable wages or refuse to work.

They never would have consented to the present pernicious rule which leaves every destitute man and his family with no law to protect him or them from the greed of human sharks; they might have changed it so it would have said to every employer of labor "*you shall pay every man you hire reasonable wages, no mater whether he is hard up or not.* Every man who earns his living by wages is entitled to be treated fairly and justly and you shall not take a mean advantage of him because he is poor and dependent or ignorant and you are rich, shrewd and independent." They would have said, "the State has some interest in these men's wellfare and will have something to say about such transactions."

They might have established the general rule that: Wages shall in *every* case be *reasonable*, any contract to the contrary notwithstanding, to be determined at the instance of either party by a jury from the facts and circumstances of the case, including the cost to the hired of living properly and the ability of the hirer to pay. And they would have made it the *law.*

Of course there are people now, who will be quick to jump

up and exclaim, "Oh! That would never do; it would impair the obligations of contracts and be unconstitutional!"

But if we were to investigate the habits of thought of most of these people, we would find that about the only thinking they have ever done, was confined to their own individual business or pleasure; that so far as sitting down to investigate or meditate on the consequences to the country of pursuing a given policy, they never did or do, and the nearest they ever came to such a thing was, when they took an hour or two off to listen to a speech from some one who advocated their particular prejudices, or to vote the ticket that represented their personal interests. As to being grounded in governmental principles or policies, they are as innocent of knowledge as children.

When they say such a rule would impair the obligations of contracts, we might reasonably suspect that they have or hoped to have some interest in unjust contracts of that sort and are alarmed more for fear that such a rule might interfere with their own plans to exploit hired men, than from any deep seated anxiety they have for the sacredness of contracts or the general wellfare. However, I would say to them that, "the obligtaions of an *unjust* contract *ought to be impaired,* otherwise we must say, it is wrong to do right."

If to impair the obligations of an unjust contract would be to do something unconstitutional, then I would say further, "there must be something wrong with the constitution."

LET US SUPPOSE A CASE.

If one, being *under age*, wishes to be relieved from the obligations of his contract, the courts will always interfere and declare it null and void.

It will do the same if *deception* is used to get one to enter into an unfair contract, if, on learning of the deceit, he seeks to be relieved from it.

It will do the same if, against his will one is *forced* to agree to do or not to do a particular thing.

The principle on which the courts interfere and give relief in the *first* case is, *want of capacity in the minor to contract.*

In the *second* case they interfere because, *fraud* was practiced to obtain consent to the conract, and,

In the *third* case because, consent was wanting it was obtained through fear; that is, he was deprived of his free will, of having any choice, of the privilege of consenting voluntarily or refusing; of the priviledge of exercising his discretion; his mind was imprisoned and had no alternative but to agree.

Now, here are three different kinds of cases in which the courts will always interfere, and the relief they give is *the same* in one as it is in the others.

Let us now inquire and see if there is any difference in principle why relief should be given in those cases and not in the following.

ANOTHER CASE.

Here is a man needing food, clothes and shelter and must work and earn money in order to buy them. Here is another man who has sufficient food and clothing and a comfortable house to live in, and therefore, although he hires out to keep himself supplied, does not have to sell his labor at present, but is ready and willing to do so whenever he is paid reasonable wages, which we will suppose is $2 per day.

Here is another man who wants some work done, and is able to pay reasonable wages to a man who will do it.

He knows $2 per day is reasonable, and that he can afford to pay it, but he also knows that the first man is hard up and must have work, and that the second man is not, and will not work unless he gets $2 a day. So in the hope of driving a bargain with the first man he goes to him and after parlying awhile offers $1 or no work, and the man seeing it is $1 or nothing, agrees to it because he is in great need of the necessaris of life.

Of course if $2 a day is reasonable, $1 is barely enough to get the cheapest necessaries.

Now, if, when the man comes to settle, he should say to his employer, "$1 is not enough, I have been barely able to live and have nothing saved, you should pay me the going wages which you knew when you hired me were $2; you knew when you came and offered me $1 and said I could not have the job unless I would agree to work for that, that I was destitute and hungry and had no choice but to accept your offer." His employer would laugh in his face and say, "no sir, and you have your gall with you to ask it. You made a fair, square bargain to work for a dollar and that is all I shall pay you. You did have a choice and you know it. You choose to work on my terms to going hungry."

Then if the man should sue to recover $2 a day and allege and be able to prove that, "while he agreed to work for $1 a day he was forced to do so by reason of his utter poverty and destitution, and for no other reason, although $2 a day was the going and reasonable wages, all which was well known to his employer when he offered $1 and refused to pay more, or to hire him unless he would agree to work for $1 and did so solely for the purpose of taking advantage of his destitution, and get his work done for less than it was reasonably worth, knowing he would have to accept and agree to work for $1 or beg or go hungry; that the services rendered were reasonably worth $2 a day and the employer was well able to pay that sum, but refused to pay more than $1 which was tendered and refused. That $1 was barely sufficient to purchase the commonest necessaries of life from day to day while working for his employer and he was unable with the most

pinching economy to purchase needed clothing for any member of his family or save any sum whatever after paying for his common necessities," and should ask judgment at the rate of $2 a day; and the employer should answer his complaint and admit the contract at $1 and every other allegation and ask for judgment on the pleadings for his costs, what do you suppose the court would do for the hired man?

Would the Judge inquire into the facts alleged that forced him to agree to work for $1 instead of standing out for $2?

Would he take into consideration the fact that he was destitute, that the going wages were $2, that his services were worth $2, and the employer was able to pay $2, and should have done it if he wished to be fair and do right?

Would he be influenced against the employer because he was stingy and selfish and took a mean advantage of a helpless man to make a dollar off his labor? Would he tell him he had no right to do it? Would he punish him for it and make him pay what he ought to have agreed to pay? Would the fact that the hired man had to spend, each day, all he agreed to work for ($1) to get enough to eat and was worse off after quitting work than before he began in the matter of clothing and everything with the exception that he and his family were kept alive during the time?

No, he would consider none of those matters. He would make short work of the case by dismissing it and telling the hired man he had no cause of action and give judgment in favor of the employer for his costs.

If he should feel like making any explanation to the hired man why he had no case, he would say something like this:

DECISION.

"In this case the court can take cognizance of nothing but the contract of hiring, the terms of which are admitted by both parties; and as it is also admitted that the employer had done all he agreed to do, you had no ground on which to base this action or to recover. The obligations of every contract *voluntarily* entered into by competent parties, the law holds sacred and cannot be impaired unless fraud is alleged and proved.

"The fact (which is admitted) that your 'utter poverty and destitution *forced*' you to make a contract to work for your employer at wages that were inadequate and unjust to yourself, is something the court is not permitted by the law to take any notice of. If, however, it had been alleged and proven that your employer knowingly did something to place you in the state of destitution you were in, and did it with the object, purpose and expectation of taking advantage of your destitution to induce you to contract with him to work for inadequate and unjust wages, and by that means did induce you to contract with him to work for inadequate and unjust wages, and

you rendered the services agreed on; in that case, it is possible the court could, under the law, set the contract aside and give judgment against your employer for the reasonable value of your services. It is possible that such a state of facts would be held to amount to a fraud, or a conspiracy to defraud.

"In this case there are no such allegations. It does not appear that your employer was in any way responsible for your condition. It only appears that he knew you were destitute and hungry, with no way to relieve your needs except to beg or agree to his offer of employment; and believing that, for these reasons, you would agree to work cheaper than others, he made you an offer of work and certain wages and you accepted. Now, what your employer did the law gives him an absolute right to do. It gives every employer the same right; that is, the right to hire men for as little as he can. He is under no *legal* obligation to *agree* to pay adequate or *reasonable* wages. If the man hired is forced by want (no matter how serious it is) to agree to work for wages that are less than adequate or reasonable, it is his individual misfortune, one which the law takes no notice of even when invoked. Its policy is to leave him, and does leave him in such case, a victim to be preyed on by all whose consciences are so hardened that they would, if they could, take his labor and pay him less than its value.

"Right or wrong, such is the law and the duty of the court is to enforce the law as it finds it. The law contemplates that every man will look out for his own interests; and presumes until the contrary appears, that he is competent to do so. Those it regards as incompetent and in whose behalf it will interfere, are classified as minors and persons of unsound mind. It will also interfere, when moved to do so, in cases of *force* or *fraud*, when properly alleged. True, you have pleaded here a kind of force, but it is not the kind of force the law will relieve you from. The force the law contemplates is the kind that puts one in fear, as threats of bodily harm. If one was forced to contract in that manner the court could give relief. In your case the force that induced you to agree was distress, which may or may not have been brought on by your own conduct. You may have wasted your substance in riotous living or you may have come to want from laziness; you may have speculated and failed or lost all by flood or fire or drought; but whether one or all of these causes placed you in a position where you were forced to take any employment that came your way, the law does not concern itself. It still treats you as free to accept or refuse any wages offered and will not institute or countenance any inquiry to show you are not free because of your destitution or that you acquiesced from necessity.

"The law contemplates that you are ready and willing to get the best of every other man in your predicament if you can, and it would not interfere if you did so. On the other

hand, it leaves you without pity or partiality to fight it out the best you can if some other man gets the best of you. If you can press the nose of another man to the grind-stone all his life, it is your right and privilege to do so, the law will not interfere; nor will it interfere if some other man holds your nose there. This, in that respect, is a free country.

"Suppose ninety-nine out of every one hundred, or nine hundred and ninety out of every one thousand people in the State were reduced to the condition of want and distress you were in, and the other ten in every thousand were able to employ them and should say to the nine hundred and ninety, 'we will employ you and give you each fifty cents a day if you will agree to work for that and board yourself,' and the nine hundred and ninety had no other offer or hope but to agree to it to prevent starvation, and therefore agreed. There is no law in any State in the United States that would permit any court to break the contract. On the other hand the law of every State would compel every court to enforce it, and the nine hundred and ninety would be held to it and not permitted to recover an extra cent, no matter how poor they were or how unjustly low the wages were, or how rich the ten men were; and if the nine hundred and ninety should think the law and the decision of the court unreasonable and unjust, and should become obstreperous and say, 'we will not stand it, we will have more anyway,' and should proceed to help themselves from the abundant stores of the ten employers, one or all of the ten could call on the sheriff and he and all his deputies would, by command of the same law, have to go and stop them; and if they were not strong enough to do it, the sheriff would be obliged to swear in more deputies, and if they could not do it, the ten, or any one of the ten, employers would have the right to have the governor call out the militia.

"The laws of this country are founded upon the *wholesome,* necessary and *patriotic* fundamental principle that all men must be and are, Free to contract.

"It makes no allowance for the unfortunate and onerous conditions on which you seek to get the court's interference.

"It makes no allowance for the conditions that lead up to those onerous conditions, such as, lack of opportunity to earn.

"It is however a familiar principle of the law that, where no agreement was made as to wages, and the court is appealed to to decide, it will hear evidence and give *reasonable* wages.

"The difficulty in your case, and in the cases of the nine hundred and ninety men instanced was, that you all had an agreement.

"There are other conditions the law makes no allowance for. It makes no allowance for a condition of *scarcity of work*, which places laboring men at the mercy of employers in the matter of wages; nor does it make any allowance for a condition of scarcity of laborers which places employers at the mercy of laboring men in the matter of wages demanded.

"These conditions the law leaves to be adjusted by what is called supply and demand; and whether the supply is greater or less than the demand, it is all the same so far as law is concerned, which always looks on with cold indifference.

"It may see men willing to work, and starving because there is not enough demand for their labor. It may see property going to waste or ruin, because there are not men enough to be had to care for it or they refuse to work; great suffering in one case and great loss in the other; yet, for such conditions, it says not a word. They are left to chance; and, while it is not the business of the Bench to cast reflections on the wisdom of the age that neglects to substitute law for chance, where it is possible, I cannot refrain from remarking the fact, apparent to all, that the country suffers from partial distress all the time, and general distress (called panics) periodically, which appears to be the result of leaving the adjustment of these important matters to the uncertain state of supply and demand. It is possible that you are a victim of one of those conditions which supply and demand is supposed to regulate, and if so, your troubles are outside of the province of the law, or the assistance of the courts.

"The case is dismissed and defendant will take judgment for his costs."

WHAT DO YOU THINK OF IT?

Now that the court has decided this case against the hired man, and given as its reason for having done so that, under the law as it now stands, it could not interfere to help him, I wish to ask the reader a question: What is your opinion of the law?

This man's agreement to work for one dollar was, apparently a voluntary one, but truly, was it?

Did he agree because the offer was fair, or because he had to? If he had to, how can the law or any court, or any one say it was voluntary? If it was not voluntary, it must have been the opposite, which is involuntary, that is Force. If he could have exercised his discretion when the employer offered him $1, when he should have offered $2, what do you think he would have done? What would you have done? He would have refused and you would have done the same. What made him agree to work for half wages? Hunger.

Suppose now his employer had gone to you and asked you to agree to work for him for half wages and you did not need money bad enough to make it necessary for you to do so and should say "No." Suppose he should then stick a loaded revolver in your face and say, "Now, damn you, if you don't agree to work for me for $1 a day, I will kill you right here!" What would you do? If you thought he had the drop on you, and meant what he said, you would do just what every other prudent man would do under the circumstances. You would agree to work for him for a dollar a day.

If then, he should say, "alright, go on now and go to work!" and with his revolver should stand guard over you while you worked, and when you had finished should offer you a dollar a day for the time you worked, and you should refuse it and demand $2 and he would not give it, and you should sue him, and he should set up your contract for $1 and you should show that the contract was made at the point of a revolver, and that the labor was done at the point of a revolver, and that $2 a day was reasonable. What would the court do? Why, it would say, "the contract was null and void" because made under duress and would allow you $2 a day without any hesitation whatever.

Now what forced you to agree and then to work for $1.

A revolver.

What forced the hired man to agree and then to work for $1? Hunger.

Why did you agree? To save your life.

Why did he agree? To save his life.

Is there any difference? No, but the courts have made one.

Why? Don't know.

Can the court tell? No, it follows a precedent.

What is a precedent? It is a mistake some other court made.

Suppose the hired man had refused to work for $1 there being no other show for him to get work?

Why, he would have had to beg or starve and go naked.

Suppose he had chosen to beg and go naked?

Then the man that offered him $1 (or anybody else) could have had him put in jail as a vagrant, or for indecent exposure, or both, so his only choice was, in effect (because of course he would not choose to starve) work for one dollar or go to jail!

How many men to-day are working for less than reasonable wages under the same forced conditions as that hired man?

Here is a sample of them. Read what Cardinal Gibbons says:

Baltimore, December 6, 1903—"When the employer becomes suddenly rich, while the toiler, with the utmost thrift and economy, can scarcely keep the wolf from the door, there is something really wrong in our social and economic condition," declared Cardinal Gibbons in his sermon to-day at the Cathedral, in which he condemned "sweat-shops" and appealed to his auditors to discriminate in making purchases in favor of employers who treat their employees with justice and charity. He recommended the charitable work for oppressed toilers conducted by the consumers' league. The text for the sermon was "Am I My Brother's Keeper?"

"There is a class of persons in Baltimore who are employed by proprietors of large clothing establishments," continued his Eminence. "Some of the workers are employed in the stores, others make garments in their own homes and bring them to the establishments. Many of these men and women are compelled to toil in "sweat shops," of which there are eighteen in one section of the city, contracted in space and poorly lighted and ventilated. They are overworked and underpaid.

"In a careful investigation I have discovered that after laboring for six days at ten or twelve hours a day, their weekly compensation amounts to $6 or $8, and with this pittance they have to pay for house rent, food and clothing and other expenses. They are living on starving wages; the result is that in a few years they become incapacitated for work.

"THEY DEMAND FAIR WAGES."

"These toilers ask for no alms. All they demand is living wages. They appeal to you and the public for compensation and consideration. They are our own flesh and blood.

"You will ask, how can we help them? How can we redress their grievances? You may not be able to aid them directly, but you can do so indirectly in various ways.

"You can agitate the question. By agitating, the air is stirred, the sky is cleared. You arouse public attention to a pressing grievance; you invoke a sympathy; you remove the veil, so that one-half of the world can see how the other half lives.

"Thank God, there are in Baltimore some clothing houses that treat their employees with justice and charity. In making purchases you can discriminate in favor of these establishments. You will thus exercise a moral pressure on the oppressors by appealing to their self-interest."

How many more are refusing to be forced by these conditions, and tramping and begging, and how many more are suffering the penalty of their refusal, in jails, charged with vagrancy?

You who have observed or had experience may answer to suit yourselves, and what but the lack of law is responsible for this state of things?

Do you agree or disagree with Rev. Thomas B. Gregory, who writes in the Examiner (S. F.) of August 9, 1903, when he says:

"Human necessity is more sacred than any institution, or law, or theory. In the presence of such a necessity the holiest things must take a back track. As against the real hunger of a human being, shew-bread and the Sabbath have no rights that we are bound to respect. The holiest is man, and all the other holy things—Church, Sunday, State law—are man's servants, not his masters; are the chariots which are to carry man along the way of victory, not the juggernauts which are to crush him."

Is that good sense, or is it nonsense? *"Human necessity is more sacred than any institution or law,"* he says; but our law does not say so.

What does our law say? As interpreted by the courts, it says: "A little contemptible contract, made by a hired man under conditions of necessity, is more sacred than the necessities of the man or his family, although their lives be involved."

Think of it! Holding a contract sacred that was entered into through necessity. If such a contract is sacred, it is a sacred swindle.

There are thousands, yes, tens of thousands of men, women and children working to-day for a mere pittance under just such contracts, that is, contracts they were forced to enter into to get enought to keep them from starving, and there is no law to interfere.

Does the law suppose a man who knows his wife and little children are suffering from cold or hunger, or lack of clothes, is going to stop and deliberate on the terms of a contract before deciding on whether or not he will go to work and supply them?

If they were in the upper story of a burning building and could only be rescued by a ladder that somebody else owned, would he wait to get the owner's permission before using it?

If they were being carried down by a flood, would he hunt the owner of a nearby boat before taking it?

What good would it do him anyway to deliberate on the wages offered? He could not refuse, no matter what they were, if they promised some relief.

Think of the law dignifying the agreement of a hungry man to work, as a contract, one it must hold to be sacred and binding.

Has not this man suffered enough with anxiety before he got a job; waiting, hoping, tramping and asking for work and being refused?

And now, after he has it, is the law going to further add to his miseries by standing in with his employer and help him to beat him out of fair wages on the flimsy plea that he made a contract? Instead, it should encourage him and say, "My man, you were willing to work; you rustled for it; you got it and my business as Law is, to see that you are properly paid. I am your friend, whether you have another on earth or not. Your employer informs me he made a contract with you as to wages. Don't let that trouble you in the least. I will look into all the facts. If I find the wages specified are just, I will hold you to the contract, but if I find they are not, I will fix them at what I consider just, and will see that he pays them. No one shall make a tool of me to help rob you." (Note—Read "How to Stop Strikes," etc., page)

Don't you think the hired man would be happy if the law talked that way? And would not employers scowl and growl because it had ceased its partiality to them?

Had the law always talked that way, would here have been occasion for labor unions? Would there have been occasion for ex-President Grover Cleveland to criticize and warn employers as he did in his address at the annual banquet of the Commercial Club in the Auditorium Hotel, Chicago, Ill., October 14th, 1903, when he said on the subject of

AMERICAN GOOD CITIZENSHIP:

"We are told that the national splendor we have built

upon the showy ventures of speculative wealth is a badge of our success. Unsharing contentment is enjoined upon the mass of our people, and they are invited, in the bare subsistence of their scanty homes, to patriotically rejoice in their country's prosperity.

"This is too unsubstantial an enjoyment of benefits to satisfy those who have been taught American equality; and thus has arisen, by a perfectly natural process, a dissatisfied insistence upon a better distribution of the results of our vaunted prosperity. We now see its worst manifestation in the apparently incorrigible dislocation of the proper relations between labor and capital.

"This, of itself, is sufficiently distressing; but thoughtful men are not without dread of sadder developments yet to come."

Mr. Cleveland is smart enough to see a storm coming, and is frank enough to admit it and tell what is bringing it on: "The bare subsistance of their scanty homes," and "too unsubstantial an enjoyment of benefits to satisfy."

Whom? Hired men, of course. He means to tell his rich listeners of that club that the hired men are not getting a fair share of the country's "vaunted prosperity," that is, *enough wages* in proportion to what they get; that the employers are too greedy and take too large a percentage of what their hired men produce; that the hired men have found it out, and are making a fuss about it, and will continue to make a fuss, and that they had better be looking out, because there will be "sadder developments" yet.

The point made in Mr. Cleveland's address is that hired men are not fairly paid. This is the admission of a capitalist to capitalists accompanied by a warning. He fails to give them any advice how to avert the "sadder developments;" whether to pay more wages or to organize and fight or otherwise. He only says, by way of warning, "look out, its coming!"

As a smart man talking to smart men, he could not indulge in sentimental gush as President Roosevelt often does when talking to the galleries, the common people. He could not say, "Now, you business gentlemen, ought first to learn to be good. You ought to learn that 'honesty is the best policy;' you ought to pay your hired men fair wages. You should remember, as Mr. Roosevelt says, that 'we must act upon the motto of all for each, and each for all; that the welfare of each of us is dependent fundamentally upon the the welfare of all of us.' You know, as he further says, 'we must see that each is given a square deal, because he is entitled to no more and should receive no less' (Roosevelt at State Fair, New York, September 7th, 1903). Those are the principles you business men should do business on, so I say to you again, you ought to be good, and, as Mr. Roosevelt also says, 'I have the right to challenge the best effort

of every American worthy of the name in putting down by every means in his power corruption in private life.'" (Roosevelt at New York Avenue Presbyterian Church Centennial, November 16th, 1903.) Mr. Cleveland could not talk in that strain to his audience of business men, but no doubt, the audience of common people that heard President Roosevelt talk in that way yelled themselves hoarse with patriotic ardor, when, if he had talked so to the Commercial Club Mr. Cleveland talked to, he would have been laughed at as soon as his back was turned.

The difference in the complexion of the different audiences accounts for the differences of utterance.

Mr. Cleveland was adressing men of business, who were in business solely for gain and he was too shrewd to say, "Gentlemen, in business, you must act upon the motto of 'all for each and each for all.' In business, you must see that everybody has a 'square deal.'"

But the President was talking to a different crowd; he could and did.

One audience was composed of men engaged in intense commercial competition, and every man was skilled in and daily practiced all the refined and unrefined known methods of skinning everybody, to score success; and, to have told them, as a matter of business, to not skin their hired men, would have fallen flat, decidedly flat.

President Roosevelt's audience was composed of competitive people also, but their methods of competing had not been keyed up to the high-straining tension of the methods practiced by Mr. Cleveland's audience, so it was too dull to detect any conflict between its daily business life and the President's sentimentalisms and innocently applauded what, according to its interests and practices (for each, in a small way, was always trying to get the best of the other), it should have hissed. Had President Roosevelt talked the same way to Mr. Cleveland's audience, it might not have hissed him, out of respect for his high office, but it certainly would have thought hisses.

WHAT PRESIDENT ROOSEVELT AND MR. CLEVELAND, IN ALL CANDOR, SHOULD HAVE SAID.

What the President and ex-President should have said, to dispell all doubts as to their candor and patriotism, was this, when talking to their respective audiences, the President should have said, "Gentlemen, you are all engaged in competition; you ought to act upon the motto of 'all for each and each for all,' but the competitive system will not let you. Before you can do it, you must wipe out competition so far as it is necessary to prevent it from interfering with your acting in accordance with that motto; and you can wipe it out only by changing the law, which I heartily recommend you to do. To the extent that you succeed by law in abolishing

competition, you will be able to give each other a 'square deal' and nobody hurt."

You would at the same time wipe out, practically, all disputes between capital and labor, which are causing so much inconvenience and distress to all classes.

If the President had talked that way, he would have told them an obvious truth, besides something that was in perfect accord with his advice that "all should live for each and each for all." As it was, he left half of what he should have said unsaid. He did not tell them how they could do it.

Mr. Cleveland should have said, if he was not afraid of wounding the business side of the brain of his auditors, "gentlemen, I warn you that when you enjoin unsharing contentment upon the masses of our people and invite them in the bare subsistence of their scanty homes to patriotically rejoice in their country's prosperity, you are making a fatal mistake.

"This is too unsubstantial an enjoyment of benefits to satisfy those who have been taught American equality, and as a perfectly natural result, they have become dissatisfied and insist upon a more equal distribution of the results of our vaunted prosperity.

"This has greatly impaired the harmonious relations that formerly existed between capital and labor, and depend upon it, they will continue to grow worse at ruinous cost to both, unless something right is done to avert it. And some day, not far off, there will come a death struggle between you and labor for the mastery, and no one can predict the outcome.

"Laboring men have organized, or are rapidly organizing, and it is for a purpose. You have not been just to them. As you got control of the land and machinery, they, as individuals seeking employment, were placed more and more in your power and you dictated the terms and conditions of employment and scaled down wages, yet boasted of the country's prosperity until you forced them to organize for their own protection, and to force you to do better by them than you had shown a willingness to do voluntarily.

"That, gentlemen, is the situation that confronts you and the whole of it. You know you and your hired men have been pulling and hauling over the subject of wages for years; you also know, there never was a feeling of stability and security among you, even after you had come to an understanding, because of market fluctuations that affected the value of your goods or the cost of their living, and there never was any law that either of you could appeal to for the proper adjustment of the peculiar and alarming differences that arose between you.

"As a result of this absence of law, you have relied upon your ownership and control of things and your wealth, influence and power to force your hired men into submission to your terms; while they have relied upon the perfect discipline of their great and growing organization to force you

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into submission to theirs, and conditions have become more serious every year. It is now either a strike or a lock-out all the time, greatly to the annoyance and detriment of the country and at great loss, even ruin, to those directly affected, besides loss of life resulting from inevitable collisions.

"It is manifestly wrong and disastrous for either of you to continue trying to be a law unto yourselves (for that is what you are both trying to do). Such a course can never satisfactorily solve your disputes. It is impracticable and impossible.

"If it is true, as I say, and it certainly is, that no law reaches your troubles, make one! There is no such thing as a condition that the law of the land cannot be made to cover, and it would be a reproach upon the intelligence of our people to admit that they are unequal to any emergency that demands one. Make the law! And when it is appealed to by either side, its decision will be respected because the whole power of the nation will be behind it. It would aim to do justice, and your respective rights and interests would suffer far less than under your present methods of guerilla warfare where you invoke the assistance of only such outside laws and forces as serve your purposes to conquer.

"A law broad enough to hear and consider every grievance of every side would bring with it an era of good feeling and industrial harmony that would reduce all labor trouble to a minimum."

But, Mr. Cleveland did not make that kind of a speech to the Commercial Club. Why he did not, you are left to guess. My own idea is, they did not want it, nor did they want, nor do they now, any law. They probably thought their wealth and power would be sufficient to worry the hired men into subjection; and then the laws, as they are, with the police, sheriffs, United States marshals, hired detectives and militia always at their service, they could keep them in subjection while they skinned them indefinitely.

If that is their idea and they can make it work, there is no doubt but what, from their standpoint they are right, for, as they look at it, as the Weekly Examiner (San Francisco) says: "To ruin competitors, to reduce a man from competence to poverty, is considered as but an ordinary incident of business," and that being such a small matter, of course the consumption of hired men by overwork and insufficient pay is also an ordinary incident of business no more to be thought of than the consumption of cordwood and coal in their furnaces; both are plentiful and were made to increase the profits of capitalists.

HAS A HIRED MAN ANY RIGHTS?

If we judge of his rights by the treatment he receives from his employer, we must say, yes, he has about the same rights his employer's cattle have, not much more, and the more is of no particular benefit to him. He gets what his employer decides to give him and the cattle get the same.

Do you say that is not so? Well, don't the employer fix his wages, and don't the wages he gets regulate his bed, board and clothes? If he fixes his wages, then he specifies what kind of a room and bed he may occupy, what kind of food he may eat, and what kind of clothes he may wear, as much as he specifies what kind of stable his ox or horse may occupy, what kind of feed shall be given him and how much grooming he shall receive.

It would not be so if the man had the option of refusing the wages, but he has not, any more than the ox or horse has of refusing to work for what he gets—both have to eat.

"But does not the law protect the hired man?"

If it does, you stop and think and tell yourself how it does. I cannot, but I can tell you how it does not.

There is a law for the punishment of the employer if he cruelly overworks of underfeeds the ox or horse, but there is none to punish him if he cruelly overworks or underpays a man, boy, woman or girl.

If he hires with no agreement as to how much his wages shall be, and his employer trys to pay him off when he quits with less than reasonable wages, he may sue and the law will compel the employer to pay reasonable wages.

"There. Don't you admit the law protects him?"

Certainly, in that case it would, if it would pay him to invoke it.

In the first place, it is seldom the employer is caught in that fix. He usually takes advantage of the man's eagerness to work, and tells him beforehand how much wages he will pay. If the man goes to work after being told, the law calls that a contract and holds him to it. The courts are sticklers, you know, about impairing the obligations of a contract, because they say that would be unconstitutional.

But it is a rare thing that this law, which is nothing new—it is older than the Bible—does the hired man any good, because he is so poor he cannot afford the expense and loss of time to go to law with his rich employer, and therefore takes what he can get rather than do it.

"Well, that is not the fault of the law; the law is all right."

Certainly, the law is all right, for the rich; it provides also a docket fee to be deposited when complaint is filed and that the officer serving the papers shall demand his fee in advance; and if the man wants a jury, which, of course, he would in

order to get justice, it requires him to put up twenty-four dollars more (if in the Justice of the Peace Court in California), altogether about thirty dollars, even if his lawyer asks no retainer. The law therefore contemplates that all hired men have a bank account, which, of course, we all know is the fact.

Of late years, the law has become very solicitous for the rights of hired men, by giving them liens on certain things for their wages. Of course, that is a great boom. The only trouble with it is, the Supreme Court has construed it and the Legislaure has amended it until even lawyers do not know what it is; and if a hired man wished to avail himself of its benefits, if it has any, it is such an expensive and uncertain quantity, that, in most cases, he would rather lose the debt than try it.

As to law that would give a hired man damages for injuries, or his family damages if he were killed, being the result of the negligence of his employer, it is so far beyond the limits of the depleted purse of either that it cuts more of a figure on the statute books as an ornament to our vaunted civilization than a practical benefit to crippled hired men, widows or orphans. A trip to the moon in Darius Green's flying machine would be about as encouraging an undertaking to the hired man, or his widow, as to undertake by law to make his employer pay suitable damages for injuries or death.

What the hired man wants is laws that are within his reach. No amount of law would benefit him a particle if the machinery to set it in motion to inquire into his wrongs was so heavy and complicated that he could not start it. But that just suits his employer, he wants it that way. He wants it as it is. And his paid orators can and do, in glowing eloquence, call the hired man's attention to our beneficent laws for their welfare, of the jury system and all that, but they are very quiet as to the *cost* and other difficulties of getting the welfare.

Ever since ships have sailed the ocean sailors have been the wards of the admiralty courts because of their peculiar helplessness, and I would ask, is it not about time that hired men, in their helplessness, be made the wards of the law courts?

Sailors have always been looked upon as children in the hands of ship owners and masters of vessels, and the admiralty courts of all nations have always been open to them, without fees or costs, to libel a ship for wages and have it seized and sold to satisfy them; and I would ask again, are the hired men on shore anything more than children in the hands of such men as George F. Baer, John D. Rockefeller, J. Pierpont Morgan or Charles M. Schwab, or any railroad company or corporation? There are no employers nowadays, you know, to speak of, but corporations and the very rich.

Think of it, you toilers! Think of a poor man with a hungry family of little ones, telling one of those men or corporations that he would be willing to consider a contract to work for him or it at certain wages; or, put it the other way, think of one of them asking such a man if he would be willing to consider employment (shoveling dirt, for instance) at certain wages. Yet the law treats every hired man as if he was hired in just that way, although every judge knows he is not. Well, you may think, but you will never see it.

They arbitrarily fix the wages they will pay, knowing there are plenty of destitute men whom the gnawings of hunger will drive to them seeking work at any price; and it is nothing less than the meanest hypocrisy for any court or the law (if the law does) to pretend that that kind of a bargain is a voluntary contract.

If they were to use violence to get men, they could not get them any quicker, but they would not dare do that. The law would wake up instantly, if they did, and punish them; so they have a way that is more effective than violence, less expensive and no law to interfere.

It is a kid-glove way, polite and highly honorable, because the law, as it is made or construed, makes it so; yet violence, in any form, could not be more effective to make men work at an arbitrary price fixed by the employer, or more disastrous to their welfare. Controlling every industry that employes men, the capitalists control the output and can shut down and lock-out at any place or time they please, and remain so until want has driven part of those discharged to wander in search of work, and those who stay, to welcome it at any price.

In this lawful way, they may starve men to work on their terms or force them from necessity to reluctantly go and help out some other capitalist, who is involved in a strike, by becoming strike-breakers, thus defeating the efforts of their brothers to obtain just wages or fair treatment from their employer; which, but for this timely co-operation and assistance, he would have been compelled to grant.

Here is just such a case according to an Associated Press dispatch, November, 1903:

"The Colorado Iron and Coal Company have laid off the men in their iron works, and are trying to get them to take the places of the striking coal miners."

Another Associated Press dispatch says: "Shamokin, Penn., Nov. 30, 1903—The Centralia Sioux & Mt. Carmel Collieries, owned by the Lehigh Coal Co., closed down tonight for an indefinite period, throwing 2500 men and boys out of employment."

No explanation or excuse is offered, but as winter is just setting in, it is not because people will not want the coal, so it must be done in pursuance of the plan of the coal trust

to keep up prices and incidentally to starve more men into going to Colorado to become strike-breakers.

But there is no law to interfere with mine owners. It is of no consequence to the law if this shut-down and lock-out compels people to pay more for coal this winter than they would need to if these 2500 men and boys were allowed to work, nor is it of any consequence to the law if these men and boys must suffer because deprived of the privilege of working to earn food for themselves and provide cheaper coal for others. I say it is of no consequence to the law for the reason that the law could, but does not take any notice of these things. It does nothing to prevent them from happening at the pleasure of those whom it permits to control the necessities of life.

Ownership is superior to life. The law protects it as something sacred. The people are nothing, they may freeze and starve.

A FEW EXAMPLES OF THE POWER OF EMPLOYERS OVER THE LIVES OF HIRED MEN, WHO HAVE NO LAW FOR THEIR PROTECTION.

NO LAW FOR HIRED MEN IN ILLINOIS.

"Chicago, Nov. 30, 1903.—Following its announced policy of centralization, the International Harvester Co. has decided to lay off 7500 of its 19,000 employes and thus effect a saving of $5,000,000 a year."

Who gets it? What becomes of men? More turned loose hoping, some will get hungry and become strike-breakers?

"Chicago, Dec. 4, 1903.—An industrial war, long expected, has broken out in the Fox River Valley in Northern Illinois, manufacturers at Batavia, Aurora, Elgin, St. Charles and Geneva, having organized and decided to increase the hours of labor from nine to ten. The first notice was served by manufacturers at Batavia and 350 machinists quit work there today. The wage-earners are united and will resist. The industries likely to be affected include many lines from shirts to windmills. The manufacturers in the organization employ, it is estimated, 10,000 wage-earners."

"Chicago, Dec. 9, 1903.—Ten hours a day, no union agreement, or no work for an indefinite period, is the ultimatum issued by three more big manufacturing concerns, members of the Fox River Valley Manufacturers' Association of Northern Illinois. These concerns are located at Batavia, and they have 1500 union employes. A general strike is expected Monday."

Surrender or go hungry; that is what the employers are saying to union men.

"Chicago, Dec. 14, 1903.—Three factories in the Fox River manufacturing district of Northern Illinois, employing 1500 hands, shut down to-day as the result of the recent campaign of the Manufacturers' Association to re-establish a ten-hour work-day."

"Joliet, Ill., Dec. 14, 1903.—All three rod mills at the Joliet plant of the Illinois Steel Co. closed today for an indefinite period, throwing 500 men out of employment."

They do just as they please. No law protects the men.

NO LAW TO PROTECT LABORERS IN LOUISIANA.

"New Orleans, Oct. 10, 1903.—Protected by half of the police force and twenty deputies and marshals, the St. Louis strike-breakers are put to work on the levee and work all day without molestation. Escaping strike-breakers from the housing ship Colonian declare that the ship is loaded with ammunition and arms, and that armed guards prevent

the strike-breakers, who were brought here without knowledge of a strike, from leaving the ship and joining the strikers with whom they sympathized."

Even men sent to break strike are deceived and made to work against their will.

NO LAW IN PENNSYLVANIA FOR OPPRESSED LABOR, BUT PLENTY OF MILITIA TO DO THE BIDDING OF THE COAL OWNERS.

"Wilkesbarre, Penn., August 29, 1902.—General Gobin has ordered the soldiers to shoot to kill if there is any trouble to-morrow, and an attack will mean the killing and wounding of many. While martial law has not yet been proclaimed, General Gobin's statement issued tonight means practically the same thing. He says: 'The conditions are outrageous, but the law is going to be enforced at whatever the cost and at once. To-morrow morning the soldiers will go out with loaded guns, and they will take the men who want to work to the mines. If there is any interference, any attack or any refusal to obey orders, they will shoot to kill.' "

In 1902 about 150,000 coal miners in Pennsylvania struck for living wages and were refused. After several months, extending into the winter of 1902 and 1903, when there was great suffering among the people, who could not pay the greatly increased price of coal, put on, not because of its scarcity, but arbitrarily by a combination to make money, President Roosevelt was induced by public opinion to interfere, and he finally got the owners to consent to submit all matters involved in the strike dispute to a commission to be appointed by him. On this arrangement, the miners went back to work. The commission heard both sides fully and decided in favor of the miners, granting substantially all they had asked.

Just think of it! Pennsylvania was one of the original thirteen States of the Union, and had been making laws ever since; yet never made one these men could appeal to to obtain just wages or treatment, and corporations, worth hundreds of millions of dollars, were permitted to treat their hired men like slaves, with the difference that they could not stand them up on an auction block to be sold to the highest bidder. In other respects, their power over their lives was as absolute as was ever the power of a slave owner before the Civil War.

Because there was no law, they tried to make use of their wealth, influence and power to starve their over-worked and underpaid men into submission to such arbitrary terms of employment as it pleased them to dictate, and a capitalistic governor even placed the militia of the State at their service by display of force to intimidate the miners and aid and abet the owners in satisfying their greed.

Perhaps you will ask, "Did the miners have no friends?" Yes, among the common people, but not in any law. Law

was not made for them. It was made for the rich. Had the principle this book contends for been law, there would have been no strike, no suffering from lack of coal to keep warm, and no losses.

As it was, the losses sustained the first fifteen weeks were reported as follows:

"Wilkesbarre, August 23, 1903.—At the end of the fifteenth week of the strike, the estimated losses are as follows:

Loss to operators in price of coal	$35,700,000
Loss to strikers in wages	19,900,000
Loss to employes, other than miners, idle by strike	4,500,000
Loss to business men in coal regions	12,120,000
Loss to business men outside region	6,700,000
Cost of maintaining coal and iron police	900,000
Cost of maintaining non-union workers	400,000
Damage to mines and machinery	6,500,000
Cost of maintaining troops in the field	220,000
Total	$86,940,000"

Why was not arbitration resorted to sooner? Because the owners, vain with wealth and power, disdainfully said: "We have nothing to arbitrate."

Senator Mark Hanna and others tried to get the coal owners to agree to a conference with the men, but gave it up. He said: "I have exhausted my efforts, I have done all in my power and can do no more. I will make no further attempts, for it would be useless. There is no chance of arbitration so long as only one side, the miners, was willing to arbitrate."

We get an idea of the views of men who have "nothing to arbitrate," from a letter written by President Baer of the Pennsylvania & Reading Railroad Company. The following dispatch tells the story:

"Wilkesbarre, August 20, 1903.—W. F. Clark, a photographer of this city, recently addressed a letter to President Baer, appealing to him, as a Christian, to settle the miners' strike. The writer said that if Christ were taken into our business affairs there would be less trouble in the world, and that if Mr. Baer granted the strikers a slight concession they would gladly return to work and the president of the Philadelphia & Reading Railroad Company would have the blessing of God and the respect of the nation."

President Baer replied as follows:

"I see you are evidently biased in your religious views in favor of the right of the workingman to control a business in which he has no other interest than to secure fair wages for the work he does. I beg of you not to be discouraged. The rights and interests of the laboring man will be protected and cared for, not by the labor agitators, but by the Christian

men to whom God in His infinite wisdom has given the control of the property interests of the country. Pray earnestly that the right may triumph, always remembering that the Lord God Omnipotent still reigns and that his reign is one of law and order, and not of violence and crime."

We also get an idea from the following published criticisms of how the country construed what Mr. Baer wrote:

"BAER IS DENOUNCED ALL OVER THE COUNTRY.

"New York, August 21, 1902.—President Baer, of the Philadelphia & Reading Railroad, has shocked the country with his remarkable letter ascribing the possession of the coal fields by himself and his associates to Divine intention.

"From every side has come a gale of caustic and astonished comments.

"A priest is quoted, a political economist gives his views, one of the largest capitalists in the world expresses his amazement, and two lawyers of distinction testify to the universal surprise at the queer opinions of President Baer."

"So President Baer thinks that God gave the mines to the operators and that the miners are simply interested in receiving their wages each week, does he?" Russel Sage explained. "Well, I would not be surprised if President Baer woke up some morning and found that God had given Mr. Morgan the mines and everything else in sight; however, I believe the mines were designed for the common good of the people, and the manner in which they are worked is of vital importance to the miners."

W. Bourke Cochrane made the following strong comment:

"I don't believe that in creating the coal mines or other sources of commodities, God had in view the bestowal of them upon the present owners. I believe that all natural products were created by God for the benefit of the whole human race. As coal, like all commodities, must be produced before it is distributed, whoever wantonly or unnecessarily causes the production to be suspended or restricted is an enemy to God and man. The laborers are, of course, interested in the proper working of the mines by those who have charge of them."

The denunciation by Charles F. Adams, of the law firm of Coudert Brothers, is an epitome of numberless opinions, which were expressed to-day to an American reporter. Mr. Adams said:

"It is blasphemy. The idea that God turned over the coal mines to the coal operators! Why, it is ridiculous. The only reason why I do not care to go further into discussion of the subject is that I would no doubt use terms which might offend."

The following expression is from Bolton Hall of East Hampton, son of Rev. Dr. John Hall:

"My opinion is that, as the Scripture says, 'The earth hath

He given, including the coal mines in it, to all the children of men, not only to some of them, and that as soon as the said children know enough to take for themselves the value of the mines and of the rest of the earth in taxes, year by year, they will not care who has charge of it.

"If the Lord gave landlords charge of the mines, he hardly instructed them to charge a hundred per cent profit on the coal, and to put the proceeds into their own pockets."

Now, who is right, Mr. Baer or his critics?

Mr. Baer says: "The rights and interests of the laboring men will be protected and cared for, by the Christian men, to whom God has given the control of the property interests of the country."

Two propositions are stated here:

First: "The rights and interests of the laboring man will be protected and cared for."

Second: They will be protected and cared for, "by the men to whom God has given the control of the property interests of the country."

By these two it is implied, first, that God actually gave to certain men control of the property interests of the country; and, second, in doing so, especially placed the rights and interests of the men in their employ under their protection to be "cared for."

Now, if there had been any law in Pennsylvania that protected the rights and interests of laboring men, Mr. Baer never would have written what he did about their protection —"by the men who control the property interests of the country."

He said it because there was no law, and that was enough to give him color of right, if not the right, because the men were working for him.

But, it will be asked, how could Mr. Baer justify himself for the ridiculous assertion that God, in His infinite wisdom, gave control of the property interests of the country to certain men? If he had said God gave it to the people, the State, it would not have been so bad.

Perhaps I should answer that I do not know, but, by whatever process of reasoning he convinced himself, it must be conceded that it was an honest thought; otherwise, he would not have so emphatically expressed himself; neither the language nor the occasion for using it justifies one in thinking he meant to play with words or invite a discussion, but merely meant to state a truth as he saw it, and with confidence as if he supposed every other thinking person saw it the same way.

It is hardly conceivable that so smart a man as Mr. Baer could have wished to unnecessarily and wantonly antagonize the world on this proposition, unless he thought it had an important bearing on the matter in hand, nor that he would

have stated it so boldly unless convinced of its truths, or believed everybody else was convinced of it.

As to why he did not say instead, that, God gave control of the property interests of the country to the States, it was not necessary. It is apparent to all that God did, originally, give it to the State, and that the State, in the exercise of its supposed sovereign right to do so, parted with its title and control (in the coal lands) to Mr. Baer and his associates, so that, when he says God gave it to him and others, his conclusion may not, after all, be as far from the truth as his critics imagined.

God did give him control, that is, He gave it to the State and the State gave it to him, which is the same thing, for the State is the people and what the people do God does through them, because "the voice of the people is the voice of God."

It would seem, therefore, that Mr. Baer's critics are wrong, and that no one can justly blame him for his position. He is exactly where the people, including his able critics, have deliberately placed him in the matter of the control of the property interests of the country, and where they, themselves, actually are, though, perhaps, in a less degree by the same authority; but, they (his critics) had wandered so far from their first high and perfect conception of God's intention that the whole earth should always be controlled by the people, that they did not realize how far away they had drifted from, and how much they had ignored His intention, until awakened and startled by the voice of Mr. Baer in asserting his own divine right, as if God had deeded straight to him. If he had explained more at length the round-about way that God gave it, as to the State and the State to him, it would not have sounded so sacriligious. However, reflection should have convinced them that he is logically right; but, if, in fact, he is a sinner, some day they must all answer for the same offense.

It is easy to see why Mr. Baer should express his opinion as to who will look out for the rights of the laboring man, since the law does not do it, and the Labor Unions are claiming the right, and, in trying to exercise it, naturally interfering with his designs. But it is not so easy to understand why he should raise a question of his *Divine control* of property interests.

However, he did it, and in such an off-hand, matter of fact, blunt and business-like way, without explanation, that he stirred up a hornet's nest, mostly among other capitalists, who take pains to call his assertion "blasphemous" and "ridiculous."

They do not object at all to the present arrangement as to the control of property interests or as to wages. In fact, they have devoted their whole lives to helping make the arrangement what it is and would oppose vigorously any effort to change it, but they think he is perfectly awful to call

people's attention to it in such bold, rash language, it might set those in control to thinking, and if they once get to thinking there is no telling what they might do to that arrangement.

Probably Mr. Baer himself never thought of that, but, like all business men, being accustomed to expressing himself in the most direct and terse terms, he simply meant to call things by their right names and not waste words.

Should the common people, whom God has so far neglected to give control of any of the property interests of the country, abuse Mr. Baer, as some of his rich friends would seem to have done, and they will be likely to do it, for it is a matter concerning which they are probably at present conspicuously and blissfully ignorant, it will only show how stupid, blind and unappreciative they can sometimes be. However, they will get right sometime and they then will gratefully acknowledge his brief but valuable contribution to the science of controlling, through the intervention of the Almighty, the property interests of the country.

For my part, I feel under obligations to Mr. Baer and think it was brave in him (since he was already enjoying all the benefits that flow from the control of certain coal property interests of the country) to voluntarily, and without any apparent provocation, proclaim the true foundation upon which his title and control rests, and challenge men to think.

ANOTHER CUT.

"Connelsville, Penn., Dec. 15, 1903.—Reduction of wages averaging 17 per cent and affecting thirty thousand men at the Connelsville coke region is announced to-day. The H. C. Frick Coke Co. takes the initiative in this, the first reduction since the great strike of the early nineties. Simultaneously was the announcement of the reduction of wages by the Union Supply Company, owner of all company stores and plants of the Frick and allied companies, which announced a general cut in the price of goods."

Is a cut a contract? Certainly, if made by a rich corporation. Of course, there is never but one party to a cut contract, so it is really a one-party contract, but it is a contract just the same in Pennsylvania. The company orders the cut and the men are forced to submit to it, but under the law this force is not force, so that makes it a contract. If 30,000 men are affected, probably 90,000 people are affected, as it affects their families also.

But it is a contract, and if the men were to ask the court to award them reasonable wages it would tell them so, even if they worked because they had to or starve.

MORE PROOFS OF PLUTOCRATIC POWER.

NO LAW IN NEW ENGLAND. SIXTY-FOUR THOUSAND OPERATORS OPPRESSED.

Boston, Nov. 30, 1903.—The wages of 32,000 cotton textile operatives were reduced an average of ten per cent. This brings the total number in New England, whose wages have been cut this fall, to about 64,000 and other reductions next Monday will swell the number to about 75,000. This will complete the general reduction in the Southern New England cotton mills. Reports of the new schedules are received without serious protests."

What good would it do to protest? There is no law for the operatives. The operators can do as they please. They want their usual dividends and they will have them. They do not say to the operatives: "We will share the cut with you and reduce dividends ten per cent." No, the law is all with them. The operatives have no voice, but must take what the operators see fit to allow them. Undoubtedly, however, the laws and courts of New England unanimously, unhesitatingly and unequivocally hold that every one of those sixty-four to seventy-five thousand workers are working under a contract solemnly entered into, which should be enforced, if called in question, by the whole power of the State, and, if necessary, the nation.

NO LAW IN COLORADO.

MORE MINERS' FAMILIES PERSECUTED.

Trinidad, Colo., Nov. 18, 1903.—National Organizers Kennedy, Warjohn and Campbell, of the United Mine Workers, went to Hastings, a Victor Fuel Company camp, this morning and were arrested for tresspassing by company guards and locked up for several hours. They were released in time to arrive here on the evening train.

Miners' families were evicted from company houses at Hastings and Delagua to-day and a wagon load of tents were sent from union headquarters here, but guards refused to allow the tents to be delivered, although it is bitter cold. Conveyances were sent to bring the evicted families to Trinidad. Trouble is feared at Hastings and more guards have been added. The miners are much incensed over the evictions."

Even the army of the United States is at the disposal of the rich to fight the poor for demanding what the law should give them—just wages. Listen to this:

"Washington, Nov. 19, 1903.—President Roosevelt has re-

ceived a dispatch from Governor Peabody of Colorado, asking that General Baldwin, commanding the Department of Colorado, be instructed to supply such troops as may be necessary to preserve order in the Telluride mining district. After a consultation between the President and the Secretary of War, Governor Peabody was advised that it did not appear that the resources of the State to keep the peace had been exhausted, and therefore, the request for troops was denied."

The only reason the United States troops did not march against the miners was, the Governor did not make it appear that the militia was unable to do all the mine owners wanted done.

The request is "to preserve order," yet no disorder is complained of, and there was none.

General Bates, who was sent by the President to investigate, reported (Nov. 29th): "There is an unsettled condition at the coal mines in the southern and northern districts, which may develop into such disorder as to require troops. At present, I understand, no violence is being offered in the coal districts."

Now, the truth is, and the history of every strike proves it, neither soldiers nor hired guards were ever necessary to compel the strikers to be orderly, that is, not law-breakers to the extent of requiring troops to restrain them. It would be senseless to say or expect that men, in large bodies, where interests are at stake and passions aroused, would not have more or less personal encounters, but to say these are insurrections demanding the presence of troops, is nothing less than exaggeration; in short a lie, and it is for a purpose, a selfish and malicious purpose; it is to prejudice the public against the hired men.

When a circus comes to town, or there is a horse race, or the Fourth of July attracts a crowd, there are usually disturbances; but is the militia ordered out? No; fights are anticipated and a few extra officers are sworn in to cope with disturbers, but there is as much need of troops in such cases as in cases of strikes were there no ulterior motives for the use of troops.

One motive is given by Mary Simmons Johnson in the July (1903) number of Wilshire's Magazine: "Workingmen believe that through the instrumentality of their powerful employers the militia is ordered out in strikes primarily to intimidate them." And I would add that another motive is to prevent union men from going among non-union men and persuading them to join the union and not "scab." They fear the argument of the strikers far more than their violence, but they cry violence to get the soldiers, and they get them because most of the Sheriffs and the Governors of most of the States belong to the capitalist class or are cowardly, cringing flunkeys of capitalists, always ready and willing to prostitute the brief power they possess to serve them, even at the expense of manhood and of justice to the hired men.

A TOOL, A FOOL, A COWARD AND A BRUTE.

Denver, Colo., Nov. 25, 1903.—General Bell called his stenographer into his office this afternoon and dictated the first statement for publication:

"We will fight it out in Colorado if it takes every able-bodied man in the State, and some who are disabled to the end that law and order be maintained and socialism, anarchy and Moyerism wiped off the earth until there is not a grease spot left to assassinate, dynamite, molest, disturb, or in any manner interfere with the commercial conditions of the peace of illustrious Colorado."

Denver, Colo., Dec. 6.—Sherman Bell, Brigadier-General, Adjutant-General, State of Colorado, protege of Colonel Roosevelt, has issued a proclamation defining the status of martial law in the Cripple Creek mining district that is causing uncontrollable mirth. Bell's officiousness has been the laughing stock of the State. His telegram to the President offering the services of the Colorado National Guard to hold down a canal route across the isthmus recently caused the War Department and all official Washington to smile audibly. His passion to advertise himself as the protege of Colonel Roosevelt, who calls him "Sherman," has made him the subject of scores of cartoons, and now his literary genius is the subject of editorial comment in the papers of the State.

In his proclamation headed, "Instruction for the Government of Armies and Troops in the Field, Martial Law, Military Jurisdiction, Military Necessity, Retaliaton," he declares that:

"Military necessity admits of all direct destruction of life and limb of armed enemies and other persons whose destruction is incidentally unavoidable. Military necessity does not admit of cruelty. It does not admit of the use of poison in any way. It admits of deception, but disclaims acts of perfidy. It is not carried on by arms alone."

He defines a spy, assassinations, insurrection and treason, the latter punishable by death, and continues:

"Every law-abiding citizen in the county of Teller and State of Colorado, if he, she, they or whom are engaged in any legitimate business, no matter what their vocation in life, regardless of their union or non-union affiliation and creed, shall first obey the laws of the land, those of Colorado and the United States of America included; and no one shall be interfered with nor in any way molested at any time during the night or day, under penalty of military law, rule, discipline and protection." Preceding the official signature to this remarkable document is the following:

"I trust that mining and all business in the Cripple Creek district shall continue to improve and prosper and that peace, prosperity and happiness shall continue in the greatest gold mining camp in all the world as it should and henceforth for-

ever be; and that it shall continue to receive the best compensation, both in hours and wages, in the entire country."

MARTIAL LAW REIGNS IN CRIPPLE CREEK.

Cripple Creek, Colo., Dec. 6.—As a result of the proclamation of General Bell the entire Cripple Creek district is now under martial law.

The civil authorities have been dethroned contrary to the statutes of the State of Colorado, which provide that the military shall always be in strict subordination to the civil power. Disregarding the advice of Attorney-General Miller, Governor Peabody two days ago decided to place the district under martial law and ordered that the officers in command take possession of the offices occupied by the Sheriff, Mayor and several others.

Under the proclamation issued last night, the military has called for the surrender of all firearms in possession of private citizens by December 8th, failing to deliver which the National Guard is empowered to enter the private houses of such persons as is deemed advisable and confiscate all such arms.

The newspapers and correspondents of the district have been suppressed to a great extent and all news sent out of the district will be perused by a censor, whose name has not yet been divulged. While Sheriff Robertson of Teller county has all along claimed that he was perfectly able to preserve order, he was overriden by the Governor, who insisted upon the presence of the militia.

"BULL PEN" OUTRAGES.

Shortly afer the advent of the militia four months ago under command of General Sherman Bell, miners known to be either members or sympathizers with the miners' union were arrested by the National Guard without cause and confined in the military "bull pen."

Writs of habeas corpus for their release were issued by Judge Seeds of the District Court, but for some time General John Chase, in charge of the forces in the field, refused to recognize such proceedings and openly defied the order of the civil court. After much consultation with able lawyers, however, Governor Peabody was convinced that Chase's acts were in violation of the statutes and, accompanied by half a regiment of soldiers, he marched to the Teller County Courthouse and delivered over the prisoners.

It was here that a disgraceful scene was enacted, the soldiers patrolling the court-room and shoving bayonets into the faces of all who entered therein. Judge Seeds, rather than stir up more dissention, quietly submitted to this proceedure on the part of the military. He, however, commented upon it in bitter tones during the hearing of the miners, who were released for lack of evidence.

STOPS FREE SPEECH.

The next arbitrary act on the part of the military authorities was to suppress the Victor "Daily Record," a newspaper friendly to the Western Federation of Miners, and which had been too active in its editorial comment to suit the tastes of General Sherman Bell and Governor Peabody. Under the instructions of the latter, the military swooped down upon the "Record" office at midnight some time ago and placed every employee under arrest, confining them in the bull pen for three days, when they were released upon habeas corpus writs. The arrest of these, however, did not suppress the paper, for Mrs. Emma Langdon, wife of one of the lineotype operators, upon learning of what had happened, came to the office at midnight, locked the doors to prevent the militia from entering, and single-handed got out the paper, at the head of which appeared the following:

"A little battered, but still in the ring."

Mrs. Langdon, after the paper was on the street, proceeded to the military camp with an armful of the publications and distributed them among the soldiers.

Early yesterday an editorial commenting upon the act of the Governor in proclaiming martial law, which was to appear in the "Record," was suppressed by the military and the paper appeared with a blank space where the editorial should have been. The blank space suggested to the public that an editorial had been suppressed.

Sheriff Robertson expressed great surprise when relieved of his duties by the Governor's order and denied the latter's statement that he had been negligent in serving warrants whenever placed in his hands. The Governor gave as his reason for putting the district under martial law that a state of insurrection and anarchy exists and that the civil authorities are powless and unwilling to suppress it. The Sheriff denies that he is unable or unwilling to perform his duties and intimates that Peabody, acting as a tool of the mine owners, has heaped these insults upon the citizens in order to break the strike now in progress.

RELEASED BY JUDGE.

Judge Seeds last week released on $15,000 bonds Charles G. Kennison, G. F. Davis and Sherman Parker, who are charged with having placed in the Vindicator's shaft as infernal machine by which Charles McCormick and Emil Beck lost their lives two weeks ago. These men were likewise released on habeas corpus writs, much to the dissatisfaction of th military authorities. Judge Seeds, however, contends that in view of the insufficient evidence the bail is plenty large enough and that the accused are entitled to their freedom.

Governor Peabody was smarting with anger to-day when he read the proclamation issued and read by General Bell in

Victor last night placing the CrippleCreek district under full martial law.

"I am surprised at the idiotic action of General Bell in ordering the surrender of all weapons," said the Governor.

"The district is under a limited martial law, but we do not intend to be so radical as Bell's proclamation would infer. Martial law has been declared simply to suppress the crimes which have been rampant."

BELL IS RECALLED.

The Governor stated that he had ordered Bell back to the Capitol, where he belongs, and not to further interfere with Colonel Verdeckburg, the executive officer of the district.

The feeling against Governor Peabody for his action in declaring Cripple Creek and the district under martial law has reached an intense stage, and on all sides the chief executive is being denounced for what the majority of Cripple Creek residents term an unpardonable action.

Sheriff Robertson denied to-night that he had in any way been partial to the miners' union by refusing to serve warrants placed in his hands, and intimated that the Governor is a willing tool of the mine owners, who have all along worked to have martial law declared.

Judge Seeds also stated that the declaration of Governor Peabody to the effect that convictions of guilty persons cannot be secured under civil rule is a falsehood.

SUSPENDS HABEAS CORPUS.

Denver, December 4.—Governor Peabody bases his decision to declare limited martial law on the decision of the Idaho Supreme Court, which declared that the Act of the Governor of Idaho in putting into force to a limited extent martial law in the Couer d'Alene was in thorough harmony with the Constitution of that State. The constitutional provision relating to suspension of the writ of habeas corpus in this State is similar to that of the Idaho Constitution.

Colonel Edward Verdeckberg, commander of the military force in Cripple Creek, was with the Governor when he dictated the proclamation. He left for Cripple Creek this afternoon with a copy of the proclamation.

Wholesale arrests of strikers suspected of implication in the Vindicator explosion and other cases of violence will be made to-morrow. The "bull pen" will be enlarged so as to accommodate several hundred prisoners."

Give us more Bells, whose enthusiasm in serving capitalists exceeds their discretion, and the devilish designs of the rich to force the poor into submission will sooner awaken them to action. Bells are a blessing in disguise. Laboring men do not see until knocked down a few times that somebody wants to rob and enslave them.

I wonder if this will make them think?

Telluride, Colo., Nov. 30, 1903.—Justice of the Peace War-

rington Robinson to-day issued a lot of John Doe warrants to Sheriff Rulan, to be used as he sees fit.

The sheriff says that Governor Peabody ordered the militia to Telluride on condition that "agitators, idlers and trouble-breeders be driven from the camp" and that he will use the blanket warrants to accomplish this result.

The union leaders regard this action as an invasion of their rights.

Thirty-eight men were arrested on warrants and sixteen of them fined $15 each for vagrancy. Sentence was suspended until Wednesday, when the men will be placed in jail unless they are at work."

Don't you like it? You struck to get what the law should give you for the asking, and because you did, the Governor calls you "agitators, idlers and turouble-breeders to be driven from camp," and if you don't go you are to be arrested as vargrants. The militia are sent "on condition that you are made to get out. Does this mean that you shall hush and work on the employers' terms, or be jailed as vagrants or get?

Telluride, Colo., Nov. 30, 1903.—Work is gradually being resumed on all the mining properties in this district. Preparations are being made to import non-union men this week."

WHERE DO THEY COME FROM? The dispatch says, "non-union men." If they are non-union men it is not from choice. But may they not be hungry union men from Shamokin or Chicago? You may be sure of one thing, most of them would refuse to take the place of the strikers if necessity did not compel them to do it.

WHAT IS YOUR OPINION?

Do you think the four or five thousand striking miners referred to in the following dispatch were honest or dishonest? Did they stand there in the cold with serious and anxious faces, listening to their great leader because they were evil-minded and bent on doing somebody a wrong, or was it because they thought somebody was wronging them and refused to stop it? I have no doubt you will say they were honest although some of you may say they were mistaken. But suppose they were mistaken? So long as they thought they were right, should they not have the right to bring those into court whom they accused of wronging them and have the matter fully invesigated and determined? The law gives you that right if somebody wrongs you, but it will have absolutely nothing to do with the wrongs these men complain of, and that is why so many of them are there shivering in the cold, consulting what to do, and eagerly listening to the advice of John Mitchell.

The picture of this little army of poorly paid, poorly fed and poorly clothed miners, standing there in the open air in December, half frozen, listening to a speech on their rights and duties as men, reminds one of Washington's little army of ragged and hungry patriots bravely enduring the rigors of winter at Valley Forge for the sake of freedom.

Trinidad, Colo., Dec. 3d, 1903.—With the temperature at freezing point, President Mitchell addressed a crowd estimated at between 4000 and 5000 in the open air this afternoon. The crowd shivered from cold but listened attentively throughout, frequently interrupting the speaker with cheers. Mr. Mitchell said in part: "I cannot tell when or how the strike will end, whether in a day or a month, or a year, that depends on yourselves. You cannot hope to win without making sacrifices. I have been in many strikes and have seen starvation and eviction. Strikes are serious things, not pleasure, and men must strike bravely. An organization that has met victory in great Pennsylvania. Strikes cannot be driven from Colorado. Our organization is 380,000 strong, too strong to be beaten in this State. If you are of the same mind as I am you will mine no more coal until you receive fair compensation under proper conditions. You should all obey the law, and this a good man will do. You must fight peaceably."

Do you imagine these eight hundred women are pleading with the President of the United States to protect bad men, anarchists and insurrectionists?

Cripple Creek, Colo., Dec. 5, 1903.—In consequence of Governor Peabody's order placing this district under martial law a committee of the women's auxiliary of the labor unions

of this city, numbering eight hundred members, has telegraphed President Roosevelt "appealing to him for protection against unjust ruling of the governor of the State."

Who is it that is carrying on with a high hand?

"The declaration of martial law has paralyzed all business in this city. Heavily armed pickets of the National Guard are stationed at all street corners and many residents do not venture on the streets. Provost Marshal McClelland is occupying the Mayor's office and has caused the arrest of several persons. The Western Federation of Miners is preparing to make a joint fight against martial law and for the release of their members now confined in various jails and bull-pens.

Following the supression of the Victor Record Provost Marshal McClelland to-day threatened to cut off Cripple Creek from the outside world by locking up the correspondents of Denver papers and censor all matters sent Denver newspapers."

Is this the language of men without a grievance?

"Denver, Dec. 5, 1903.—The Executive Board of the Western Federation of Miners to-day issued an address pledging the moral and financial support of the organization to its members in Colorado, Arizona, California, Nevada and every other locality where they are fighting a battle against corporate despotism and for the uplifting of humanity to a higher plane of civilization."

To the coal miners who have joined in the fight for eight-hour day, the address says: "We pledge the deathless fraternity of our organization."

Concerning Governor Peabody's action in placing Cripple Creek under martial law the address says:

"The Executive Board can find no words satisfactorily strong to denounce this act in the most brutal drama of coercion that makes a Russian Siberia a paradise when compared to Colorado.

"We know no surrender, and justice will arise from the staggering blow administered by a soulless executive and the future will record the political revenge of an oppressed people, who are awakening from their lethargy to smite unbridled tyranny a blow that will end in its eternal death."

Do not be too hard on poor Peabody, boys; he is a todyist of course, but he cannot help it. He is the legitimate offspring of conditions that have existed for a long time. Let us wipe out the conditions that produced him and the breed will soon become extinct.

MINERS' ORGANIZATION TREATED WITH CONTEMPT BY MINE OWNERS.

"Denver, Dec. 3, 1903.—Delosa Chappell, President of the Victor Fuel Company and F. J. Hearne, of the Colorado Fuel Iron Co., held a conference to-day to agree upon a line of action to be pursued in respect to any proposition that may be received from the United Mine Workers looking to a settlement of the strike in Southern Colorado. It was decided to reject any proposition that may come from the United Mine Workers."

"Our course is fully determined upon," said Mr. Chappell. "We have nothing whatever to do with Mr. Mitchell and his collegue."

Never mind, miners, "Every dog has his day" and "it is a long lane that has no turn." Stick together and vote together and you will by and by officer the government of the State and Nation and these contemptious nabobs will fawn around you for favors like whipped puppies.

MORE HIGHHANDED INJUSTICE IN COLORADO.

Denver, Colo., Dec. 2, 1903.—A special to the News from Telluride, says eight of the seventeen strikers who were arrested on the charge of vagrancy Monday, and fined and given until this afternoon to leave town or return to work, were rearrested to-day and lodged in jail. The others were not found by the deputy sheriff although it is not believed any of them have left town and not one of them has returned to work nor paid his fine. It is understood that the men will be put to work on the streets under guard. Twelve non-union men arrived in Telluride to-night.

Telluride, Colo., Dec. 3, 1903.—Eight of the seventeen striking miners who were arrested on the charge of vagrancy were put to work on the streets to-day under guard. Some of them had money but they preferred to work out their fines rather than pay them.

Mr. Mitchell and other mine workers officials were served to-day with papers in a damage suit for $85,000 filed by the Victor Fuel Co. President Mitchell was to-day served with a summons to court in the suit of the Victor Fuel Co., for an injunction to restrain the United Mine Workers' officials from interfering in any manner with the operation of the company's mines."

Ordered to leave town or return to work!

Return where to work? To the Victor Fuel Co. of course. Oh No! The troops are not for the purpose of intimidating

anybody. They are "to keep order." These men have just quit working for that company for a cause which they deemed sufficient, and the chances are that they have money enough to pay their way. How then, can they be vagrants?

If a man stops work because he wants to and has money to pay his way, does that make him a vagrant to be ordered out of town?

If that rule was applied to all, where would many of the officials and stockholders of the Victor Fuel Company fetch up?

THE CONSPIRACY FINALLY EXPOSED. GENERAL BELL GIVES REASONS FOR RESIGNING.

Denver, Colo., May 22, 1904.—"The State militia was degraded to the uses of corporations which connived at the breaking of the law. The very men whom we used troops to protect, imported all-around bad men, the very men I ran out of their camps, to break the law in Denver and carried the election in their interests. With this statement Adjutant General Bell, heretofore the right-hand man of Governor Peabody in his military methods of handling recent labor troubles, announced to-day his purpose to resign his position and have nothing more to do with what he considers an improper use of the State forces.

"I shall resign the office of Adjutant General probably tomorrow and by the first of July there will be another man in my place," he continued, " I do not approve of using the militia of the State to help any political movement. I am accused of using, or attempting to use the militia in the late campaign. This is false, but the corporations used the militia for their purposes, and instead of the militia being used to protect the people and uphold the law, that force was actually used to encourage trouble."

There you have it, from the lips of the highest officer in command of the troops that they were used by corporations under the *pretense* of protecting the people and upholding the law, when actually, they were used to encourage trouble."

NO LAW IN UTAH

To protect the rights and interests of laboring men, but plenty of it and plenty of officials and militia to help corporations defeat their rights.

"Salt Lake, Nov. 28, 1903.—Vice-President Kramer, of the Utah Fuel Co., has replied to Gov. Well's telegram of yesterday asking if he (Kramer) would meet a committee from the Miners' Union and endeavor to settle the coal miners' strike in Carbon county.

In his reply Mr. Kramer positively declined to meet representatives of the United Mine Workers of America on the ground that the present condition of affairs was brought about "for the sole purpose of aiding their organizers in installing their union in its supremacy to the law, order, dignity and peace of the State and the absolute exclusion from work of all employes of the Utah Fuel Co. who would not join their Union."

Why should not Mr. Kramer decline to meet representatives of the United Mine Workers when he knows, with the aid of the State militia he is independent of them and can down them? The militia are there to do his bidding and help him do it.

Suppose the weight of the militia's influence was transferred to the miners' side of the scale, what then?

But think of his impudence and assurance in accusing the laboring men of striking "for the sole purpose of installing their union in its supremacy to the law," which is not true, "and the absolute exclusion from work of all who would not join the union?"

What was the Utah Fuel Co. "installed" for? Was it not to corral and obtain a monopoly on all the coal in the State to the "absolute exclusion" of everybody else? Was it not for the "sole" purpose of forcing everybody who used coal to pay monoply prices for it?

Is there nothing then, in the objects and purposes of his company that is equivalent to "installing it in its supremacy to the law, order, dignity and peace of the State?" Perhaps not, but it will disturb the peace of mind of tens of thousands of people to dig up the price of a ton or two of coal just the same, and it would also disturb the dignity and good order of every miner's family to learn how to live on the very lowest living wages, if he had to work for the company and the union was not strong enough to protect his right to just wages.

PERSECUTE MINERS' FAMILIES.

"Scofield, Utah, Nov. 30, 1903.—Armed guards to-day began the work of serving notices of eviction on the striking miners occupying houses on leased company's grounds. No disturbances are reported."

You see the company was cunning enough to get the poor miners to live on land it owned, and often to build their own houses on land leased of the company, so in case of a strike, it could hold the threat and fear of eviction before them as a club, hoping thereby to prevent a strike or force them back to work if they should strike.

You can imagine how intensely loyal the men must be to the union and its principles when they will suffer being put out of doors in winter in that high cold climate, rather than further submit to the company's injustice.

Men made of that kind of stuff will do to tie to, and some day they will VOTE together, and then their rich oppressors will have to get off the bridge and let them pilot the ship.

NO UNION MAN NEED APPLY.

Salt Lake, Dec. 2, 1903.—A Tribune special from Scofield, Utah quotes William Price, the United Mine Workers' representative there, as stating the strike would be declared off and the men at once returned to work provided the Utah Fuel Company would guarantee that no discriminations were made against the employment of union men in the future. "If we are not given that guarantee," Mr. Price is quoted as saying, "the fight will be continued as long as the national organization exists."

When President Kramer of the Utah Fuel Co. was shown the Price interview to-night he said: "To work union and non-union men in the mine is impossible, men who refuse to join the union would be intimidated and there would be too much danger of accidents. We are willing to take back in our employ all strikers who have not been agitators, and who have not destroyed property, provided they will give up their union cards. That is as far as we can go."

Salt Lake, Dec. 14, 1903.—"Any miner who wants to work for the Utah Fuel Co. must choose between the Company and the Miners' Union," said Vice-President Kramer, of the Utah Fuel Co., to-day. "We will not take back a single one of the strikers so long as they are unwilling to surrender their union cards."

Of course, the idea of Mr. Kramer and his company is, to break up the Union. He also fears the persuasive and un-

answerable arguments union men will pour into the ears of non-union men if allowed to work side by side and he does not propose to take any chances. He wants men to be kept ignorant of their rights and power. They make better slaves.

A FOREST THE ONLY COUNCIL CHAMBER LABOR CAN AFFORD.

"Scofield, Utah, Dec. 2, 1903.—A mass meeting of striking coal miners was held this afternoon in the WOODS two miles below Scofield."

When they have learned to vote together, they will adjourn to meet in the legislative halls of the capital building at Salt Lake. Until then, it is proper they meet in the woods. They may depend upon it that, as long as they keep on dividing their votes between the capitalist parties they will get it in the stomach.

THE GOVERNOR "LEGS IT" FOR THE RICH AGAINST THE MEN.

"Salt Lake, Dec. 2, 1903.—Another conference was held today between Gov. Wells and representatives of the striking coal miners in an endeavor to reach a basis of agreement for a settlement of the strike, but after several hours' discussion the conference broke up, nothing having been accomplished. Charles Demolli, State Organizer for the Miners' Union, was present."

"What do you intend to do?" asked the governor of Mr. Demolli. "Do you think you will be able to unionize the camps and keep the miners away from work until that is done?"

"Yes, sir, I think so," answered Demolli.

Attorneys Edler and Fozler, representing the miners, told the governor that if the State troops were withdrawn all the camps would be completely unionized within three weeks. They asserted that martial law would be preferable to present conditions, claiming that the Justices of the Peace invariably ruled in favor of the Fuel Company.

During the conference Gov. Wells asked Demolli to leave the mining camps until spring at least. Demolli said he could not do this until matters were settled or he was ordered away by President Mitchell.

Gov. Wells told the labor representatives that he was satisfied the strike would fail, and continued:

"I honestly believe gentlemen, that if there is much furth-

er effort to secure recognition of the union and to prolong the strike the sentiment in the State is such that it will be only a question of time before men from all over the State will shoulder their rifles and go down there and run the agitators out of the State. I think you are wrong in pursuing this matter further at the present time."

The governor warned them against any lawlessness and turning to Demolli with a smile said:

"We will give you a free passport out of the State and I am sure the people would like to see you back to Colorado."

Demolli, however, left for the scene of the strike in Carbon county."

Hurrah for Demolli and his attorneys! Take away the troops and "all the camps would be completely unionized within three weeks." Is it not clear that the mission of the troops was to prevent free discussion and not to prevent violence?

But what shall we think of Gov. Wells when he says "if there is much further effort to secure recognition of the union and prolong the strike, men from all over the State will shoulder their rifles and go down there and run the agitators out of the State."

In one breath he intimates that he will approve of lawlessness if committed by one class, and in the next, speaking of another class, warned them against it or they might be "run out of the State."

The great intellect of this distinguished embryo statesman seems to have discovered a new judicial principle which Coke, Littleton, Blackstone, Kent and other great jurists had entirely overlooked. He is able to see a distinction that ought to be recognized which depends, not on the degree of lawlessness, but on who is guilty of it. An effort to secure recognition of a union, if it prolongs a strike, is lawless. But it is not lawless if men shoulder their rifles and go and run those trying to do so out of the State.

The truth was, Gov. Wells ordered the militia to Scofield because the Pleasant Valley Coal Co. wanted him to. According to Col. J. A. Greenwald of the National Guard, there was no need of troops at Scofield. He reported "I have seen no acts of violence and no intimidation on the part of the strikers. It is a fact that at present there is no lawlessness. Yesterday was the day for the trouble to come as the operators believed, but it was as peaceable as you please. I look for the guards to be there sometime, as the evictions will not be accomplished before the last of January and it will be necessary to have the soldiers there in case of trouble."

According to this officer, the miners are resorting to neither violence nor intimidation, yet the State is put to the expense according to Attorney-General Breeden, of $1000 a day to perform the ordinary duties of a constable, evicting tenants upon a justice's court process. Attorney-General Breeden went down to investigate the strike conditions and from his

report to the Tribune of Dec. 4, one would take him to be a patriot who rides on a railroad pass and then collects mileage of the State. This is what he says: "While there had been few overt acts, some of the strikers were inclined to be surly and to resent the interference of the civil authorities. They appear to like the soldiers, but have it in for the deputies, who they claim stopped them on the highways and were insolent in many ways. To me (this is just what the company would say) the strike looks like an exhibition of downright ungratefulness on the part of the labor organization which is responsible for it. It looks as though the State in giving the laboring people an eight-hour day and a board of arbitration to adjust their differences deserved better things than to be caused this unnecessary, almost criminal expense of almost $1000 a day in behalf of men who were already receiving good wages, and very few of whom are tax-payers or speak the English language."

The sum of what this official flunkey says is, first, there have been few overt acts, in other words they did not amount to anything. Second, the hired men were inclined to be surly, because "stopped and insulted"; third, they were ungrateful to the State for an eight-hour day and a board of arbitration "given them;" fourth, troops were called out "in behalf of men;" fifth, they were receiving good wages; sixth, they don't pay taxes; seventh, they cannot speak English.

Until this legal light "investigated," people were led to believe the strikers were raising merry hell down there, and troops were necessary to keep them half-way decent; but this official says the men were inclined to be surly because insulted by guards, yet few overt acts were committed (that was awful, for the men to be surly when insulted.) Another "exhibition" he noticed was their "ungratefulness" for an eight-hour day which the law had given them and for a board of arbitration. (He forgot to mention that the company itself refused to recognize the eight-hour law or to arbitrate.)

It seems a pretty tough charge to make against the men that very few of them pay taxes or speak English, but it is mild compared with the charge that the soldiers were sent there in "their behalf," that in their behalf the State was spending $1000 a day. I wonder if that would be news to the company and the governor?

But what do you think of this?

Perry Heath, Secretary of the Republican National Committee and later first assistant postmaster general, whose name has been so unfavorably mentioned in connection with the postoffice rascalities now exposed and being prosecuted, but who, according to President Roosevelt, escaped a criminal prosecution because his connection with them was "outlawed," at present publisher and manager of the Salt Lake Tribune, editorially, in the issue of that paper of December 4th, and with the assurances of one sanctified, becomes the great

apostle of economy for the State of Utah. He probably sees no show for a rake-off from any appropriation and extra session might make. He says: "The miners can become very popular now by accepting the terms of the company and averting an extra session of the legislature."

Coming from such a source, don't that jar you? If angles ever weep, this is their opportunity.

Even Mother Jones must be muzzled!

"Scofield, Utah, Dec. 1, 1903.—County and town authorities are on a constant watch to prevent Mother Jones from returning to camp. A wagon left here yesterday for the purpose, it is said, of bringing her back. Officers learned of the object of the wagon trip and are on a constant lookout for the female agitator. Last night sentries were on duty at all the entrances into the town. Town officers declare that she shall not enter the camp again."

As I said before, it is not violence they fear, but argument. It is not because she is an agitator, but an orator; and what kind of a cause must the Pleasant Valley Coal Company have that the civil and military pawer of the State will lend itself to shut off talk about it. Agitation always purifies. So, if Mother Jones is an agitator she is a purifier, and there is certainly something about that company or its methods that needs purifying or it would have no objection to agitation.

Rev. Dr. Ross Baker of Boise, Idaho, says "it is never safe to an evil thing to agitate it. Inquiry is death to it."

Corruption always avoids the light, and if there was none in that particular camp, no light could have exposed it. If there was, it should have been exposed.

Anyway, the whole outfit must have felt silly, mean, small and sneaking, running around armed trying to capture an old lady whose only offense was, a really commendable enthusiasm for the betterment of the conditions of hired men.

We talk of Russian tyranny, but it seems a coal company may use the State of Utah (and Colorado) for any tyrannical purpose it deems conducive to its interests, and it is all right.

What would be tyranny if done in Russia is proper and lawful if done in Utah or Colorado.

UTAH TAXPAYERS, REFLECT OVER THIS:

"Salt Lake, Dec. 1, 1903.—Following further fruitless efforts to bring about a settlement of the Utah coal miners' strike to-day, Gov. Wells said in all probability he would call a special session of the legislature to provide funds for keeping the State militia in the field."

If he does, the ordinary producers of Utah, mostly farmers, will have to foot the bill. No matter who pays it in the first instance they must pay it eventually. The coal company will

pay none of it; that is, it will make use of the strike as a pretext for increasing the cost of coal more than enough to recoup its part of the tax. So you, Mr. Producer, will not only have given your boy for a soldier to help the company beat the miners out of just wages, you will also furnish the money to keep him in the field while doing it. If these things are favors you are proud of, you may thank your tool of a governor for them.

"CORPORATION DECIDES TO MAKE REDUCTIONS RANGING FROM FIVE TO TWENTY PER CENT."

New York, Dec. 14.—The statement was made to-day by a leading official of the United States Steel corporation that, beginning January, 1904, about 90 per cent of the employees of the corporation will suffer wage reductions ranging from 5 to 20 per cent. This reduction will affect about 150,000 workmen in the various grades of the subsidiary companies. The remaining 10 per cent of employees are members of the Amalgamated Association, whose wage schedule runs to July 1, 1904."

"Employes of the corporation will suffer wage reduction" because there is *no law* to protect them and they can't help themselves. Yet, of course, the Courts will hold this to be another "mutual contract voluntarily entered into" beween the men and the Company, (that is, if they should be appealed to, which they will not be, because it would do no good) and not to be interfered with. It would be *unconstitutional* you know to do so. The Company says what the reduction shall be and the men have nothing to say about it, but it is a *voluntary contract* just the same in the eyes of the Courts and law as the Courts construe it. What the Company says *shall* be wages, *will* be wages. The men have to work for them, starve or "get," and there is no place for them to get to even if they had the money to pay fares over corporation-owned railroads that would mercilessly rob them of the last dollar to transport them, because the law permits them to charge twice what it is worth.

But why this cut in wages? Is it because dividends must be paid, or is it because the stock of the Company has recently gone way down and it is desired to make a showing of big profits to push it up again, thus baiting a fresh hook for suckers on Wall street?

It's no trick to show a profit.

Cut the wages and you've got it.

Capitalists all understand this.

The hired man can stand a cut and never feel it, he has to; but the stockholder cannot stand one in dividends, he don't have to. This dispatch shows how they do it:

Philadelphia, May 28.—"Revision of the employees' list just made by the Philadelphia and Reading Railway will cut down the monthly payroll more than $20,000 and so save the company on wages about $250,000 a year.

Here lies the explanation of the remarkable April statement of the Philadelphia and Reading, which showed receipts of $3,228,417, against $2,978,185 for April, 1903, while operating expenses were $1,784,988 or actually $82,278 less than the year before."

WHAT ALL THE FUSS IS ABOUT.

But is it necessary to cite other instances of oppression and hardships put upon hired men? Those hired men who have the opportunity to read a large daily paper (and every hired man should read one and keep informed as to the conditions of hired men everywhere, because the conditions in one locality are almost certain to be the conditions in every other in time, and by reading of the troubles of others he will have a better idea how to meet his own when they come) will read of plenty more, and yet the half is never published.

There is not a State in the Union or a country on earth where troubles do not come between hired men and their employers, and what is all the fuss and trouble about? Why must great cities in every State and Nation and the whole country be constantly disturbed by strikes and lockouts and all their attendant distressing and ruinous consequences? Why are employers always arrayed against their hired men and hired men against their employers? Why is it and what is it all for? Is it possible the trouble cannot be discovered and remedied?

Is it possible that among all the great statesmen of the world, and particularly of this, the reputed greatest and most progressive nation, there is not one who is able to locate the trouble, or who has the courage to specify it, or the ability to devise a way which everybody would recognize as feasible and just, to put an effectual stop to it?

There is but *one* cause, just *one*, and it is strange beyond imagination that this one should baffle the supposedly wisest men of the world to discover it and provide against it.

It is strange that the people of any enlightened nation or state will serenely look on and continue to put up with disturbances, inconveniences, annoyances, waste of time, energy, money and irreparable loss from a cause that ought to be promptly discovered and promptly removed, and in a manner consistent with honor and justice which would, therefore, make it acceptable to all.

What crisis may be eventually brought on by these increasing conflicts between hired men and their employers if

the solution of labor troubles is left to their own methods, no one can more than make a guess at; yet it is certain the troubles will never settle themselves until financial ruin shall have needlessly overtaken millions and millions more will have needlessly endured extreme privation and suffering.

It is also certain, and the president, all the governors, congressmen, legislators, judges, employers and the hired men themselves must realize it, that the troubles cannot go on indefinitely without the danger of serious consequences to the nation.

That they have *got* to stop somewhere, sometime, somehow. Even if left as they are now, to be settled by the contending parties as best they can, they must eventually end in disaster to one or the other or both, and unfavorable to national tranquility; and since they so deeply concern the happiness and contentment of millions of people, they give warning of popular uprisings which should arouse to prompt and effective action, those entrusted with the destinies of the nation, to avert them.

It is not wise or safe to permit the disputants to "fight it out" with no law to interfere, the stronger or more powerful being permited to have its way without any regard to who is right, much the same as two angry men are sometimes permitted to "have it out" with their fists.

Every dispute between a hired man and *his* employer that involves the principle of *Justice*, concerns the dignity, peace and welfare of the state and nation, and either, therefore, has a right, and it is its duty, to interfere with law that shall bring either party into court at the request of the other and oblige him to submit to its jurisdiction and do justice.

The whole trouble between the hired man and his employer, lies in the foolish and stupid policy of legislatures and courts of trying to uphold a legal fiction.

The fiction consists in treating the consent of a hired man to work for certain wages or under certain conditions as a solemn *voluntary contract*, when in fact he had no option but to consent, starve, beg or steal, and refusing to inquire into the facts or interfere for his relief, even though it could be shown the wages paid were much less than reasonable or the conditions notoriously unjust.

WHAT THE LAW SHOULD BE.

It should be the law that every court shall, on complaint being made, go behind any alleged "voluntary contract" as to wages or conditions of labor, and inquire, not only if it was voluntary, but if the wages and conditions are reasonable, and give such relief as *Justice*, if on the bench, would say each is entitled to.

Law is needed that applies to *present* conditions affecting the hired man and his wages; *not* law that applied to conditions which affected him and his wages a hundred years ago when conditions were vastly different and he was virtually independent and could refuse to work without being obliged to starve, steal or beg.

As long as courts go on enforcing contracts to work for certain wages because *prima facie,* they appear to have been voluntarily entered into, and refusing to go behind them to enquire if, in fact, they were voluntarily entered into, and if so, if they are reasonable, just so long will labor troubles continue to disturb industrial peace.. But when they do what they should do, go behind any alleged contract and ascertain the facts for the purpose of doing justice, and do it, labor troubles will begin to diminish, and finally, with all their hardships disappear.

Justice can harm nobody, nor can anybody complain of it.

No law can be of any possible value that seeks to supplant truth with fiction, that is, something not real—not a fact, and it is purely fiction to say that any man of ordinary understanding, with a family to support, ever agrees *voluntarily* with a rich and powerful company or anybody else, to work for wages away below what in justice he should receive.

The fact that his wages *are* less than reasonable, or the conditions unreasonably hard, ought to raise the presumption that the contract was *not* voluntary or, that the man was a simpleton in need of a guardian; in either of which events it should be the duty of the court to interfere.

An agreement to labor that is *unjust* to the laborer, is one of those things that any court might take it for granted no laboring man has ever *voluntarily* made and, therefore, that no such agreement exists; but, if it does exist (that is, a voluntary agreement that is unjust) the court should hear evidence and revise it anyway, in the interest of society.

No law can change falsehood into truth, and the theory of law that he who agrees to accept unjust wages in exchange for his labor thereby voluntarily agrees to do so, is, and ever since capital got control of the industries of the country, has been, mere fiction. It is not true. It never was true, but even if it was, the interest of society demands that every court should disregard it and set it aside.

Does any court do it? No, and according to their rulings there is absolutely no law in any State that stands between the hired man and his employer to protect him from being compelled, if he is poor, to work for insufficient and unjust (I might say starvation) wages; and the lack of it has driven him to organize for self-protection.

The rule that nothing is as sacred as human life, has an exception, which is, that the *life* of a *hired man* is not as sacred as his *pretended agreement* to work for unjust wages. So says Greed, and so hold the courts.

If a man agrees to work for wages he would gradually starve to death on, because it is his only show to keep alive a little longer, Greed denies his right to demand more, and the courts stand in with Greed.

When the courts change front, and hold his life more sacred than his contract, in other words, treat him right, the hired man will make no more trouble.

MR. FRANK A. MUNSEY,

In an address before the Merchants' Club of Boston, Dec, 16, 1902, said: "Had Capital always been fair and generous with Labor, there would have been no organized labor. It was the abuse of labor on the part of capital that compelled labor to organize—to organize in self-defense, and with a manly regard for rational dignity. To a greater or less extent it had been down trodden, misused, and abused for cen-

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E. E. SCHMITZ,

Mayor of San Francisco, in a speech Oct. 12, 1903, in that city, said: "But these (labor) disputes are easy to handle, if you only show you mean to be fair and just to the wage earner. That is all he wants. Given that, he is willing to meet the employer half way and agree to settle all trouble without inconveniencing the whole city."

JOHN WILSON,

In a speech before the Civic Federation, (which is an association of employers, organized in opposition to labor unions) at Chicago, Oct. 17, 1903, and presided over by Senator Hanna, is reported by the press dispatches to have said: "That laboring men had been compelled to strike because they never expected Justice until they showed force."

IDAHO STATESMAN (Nov. 13, 1903):

"This contention of unionism is based upon the simple principle of protection. The men organize for protection of their rights."

The foregoing admissions that labor is not fairly treated nor properly protected, are made by employers of labor and are given merely as examples to show what nearly everybody will admit is true whose God is not Greed. There are undoubtedly many employers who are deaf, dumb and blind to the necessities, comforts and rights of others, and look upon hired men and women, even children, as mere merchandise and of no consequence except to wear out their lives in hard work to pile up wealth for them. Others, and I trust they are in the majority, feel a deep interest in those they hire and would gladly welcome some plan which would insure justice to them as well as to themselves. But they find themselves under conditions which compel them to be unfair to labor in order to hold their own with others in the same line of business (who care nothing for their hired men except to make all they can out of them) and know of no way to change and still have an equal show with their competitors.

PEOPLE WHO SNEER.

It is wiser, when a serious condition confronts us, to face it boldly and try seriously to think out a way to keep it from doing us harm. It is safer to do that than make light of it, pay no attention and keep right on dancing to the music of money-getting while the condition grows, unmolsted, until finally it gets so bad it is impossible for human effort to check it or avoid its consequences. The trouble between "Labor and Capital" *is* such a condition.

There are plenty of people who will pass over the complaint of "no work" and "poor pay" of hired men with the sneering remark that there is plenty of work for everybody who has a mind to work, at good wages, and it is a man's own folly if he is hard up. In other words, they *say* (I won't say "they *think*", because they don't) no serious condition confronts us but lazyness and profligacy. Well, that is what their fathers and grandfathers used to say forty or fifty years ago (and there may have been some excuse for saying it then when there were Western territories yet to be settled) and the saying has been passd along down to the present and is repeated by those who have been so fortunate as to have never known want, and are therefore unable to see why anybody else should ever know it, although the Western territories are long since all settled and conditions are entirely different. They are perfectly innocent of even a suspicion that their own state of forehandedness is due in the least to the fact that the very class they condemn as lazy and profligate have nothing. They are wholly unable to see that if that class was even half as well fixed as they are, they themselves would necessarily have secured less for their share for the reason that the wealth of the country would have been more generally and evenly distributed among all. If the condemned class improvidently wasted their substance somebody got it, and of course it was those who now have plenty and condemn them.

I may be justified, in order to help some to catch on to the idea I wish to convey in the last parapraph, in digressing a little from my subject to ask those who are quick to condemn others for spending their money foolishly for drink, tobacco, feathers, flowers and a hundred other things and jim-cracks not necessary to life, instead of saving every cent of it and buying only such articles as they actually need, etc. Suppose all people everywhere were to take your advice and live up to it strictly? Did you ever stop to think what effect it would have on your business? Or on the tens of thousands who would have to close their shops, stores, stands, saloons and factories? Or on the hudreds of thousands employed in manufacturing and distributing the goods you think people needlessly spend money for?

Perhaps many will conclude that the prosperity they happen to be able to boast of, every bit of it, rests upon the very profligacy they condemn, and but for which, they would not know which way to turn to make an honest living. Anyway, it is certain that millions now are supported by this folly and weakness (if such it is) of others, who but for it would be obliged to go about something else to live. I leave this side subject here for those who may wish to follow it for themselves in as many directions as it will lead them.

It is not true that there is plenty of work for everybody, nor is there anything like it at good wages or even poor wages, and every strike proves conclusively that there is not, because there are always plenty of idle men who, but for their sympathy for the strikers would be glad to get their jobs, and they often take them away because forced by their destitute circumstances to do so.

The serious condition that confronts the country and must *be met,* is,

THE DISCONTENT OF HIRED MEN.

The problem is, how to stop strikes, lockouts and boycotts. It can be done only by giving the men just wages and treatment, and this must be done without doing any injustice to employers or interfering with the legal right of men to freely contract.

Can this be done? Yes, but the first thing necessary is to have a clear understanding of what a man's *legal* right to freely contract is.

We may all agree that it *is* a right, but when we say *legal* right, we qualify it and might possibly differ as to the meaning of the qualification.

I say no one can have a *legal* right to wrong another, and it makes no difference whether he attempts to do so by means of a contract or without one.

Therefore, when a contract is relied on, it should be the duty of the court to inquire if it wrongs either party to it. If not, it should enforce it; if it does, it should refuse to enforce it or reform it to do justice between the parties.

No court should be allowed to turn a deaf ear to a wrong because the parties agreed to it.

When courts lend their assistance to enforcing contracts on the ground that they were voluntarily entered into, without stopping to inquire if by its terms and the facts, each party gets an equivalent for what he gives, it prostitutes the law to the base purposes of those who are willing to make use of it to defraud others, and encourages them to do so.

The consideration is the part of every contract that mostly concerns the parties to it, because it affects life, liberty, safety and happiness; and when any of these are affected the State is affected.

The obect of a contract is, a distinct understanding as to what the parties to it are to do.

It is not its object to give to one of the parties some advantage over the other and (on the plea that the contract was voluntarily made) a right to make use of the law to consummate it.

The whole idea involved in the right to contract, as the law, rightly construed, looks at it is, equal exchange; that is, benefits balance, each party gets an equivalent for what he gives, neither is wronged, nor would he be if the law should enforce the contract on the demand of either.

The easy-going and pernicious practice of courts that permits one man to wrong another if done by means of a contract in the usual course of business, without its being considered a crime, a misdemeanor or even a disgrace, has got to be stopped. They must be compelled to take a firm, bold and uncompromising stand against all wrong, whether perpe-

trated under the excuse that it was authorized by a contract voluntarily entered into or otherwise.

No contract can authorize or legalize a wrong. Such a contract is against public policy and void from the beginning. No consent of parties, however solemnly made, can, by any twist, turn or construction ever legalize any contract or agreement which, if enforced, would give one of the parties to it any advantage over the other or anything more than an equal benefit.

When courts take this obviously just view of the law as to one's right to contract, there will be no more discontent among hired men to amount to anything. Organized labor may disband, strikes, boycotts and lockouts will cease. No injustice will be done employers, and nobody's right to freely contract will be denied. He will simply be stopped from exercising a right he never had. No one ever had a free right to contract so as to wrong another, and if stopped from doing so no right is taken from him.

WHAT THE COURTS MUST DO.

Courts must, with an unhesitating and unflinching determination, change the recognized rule that a man's ability to get the best of another is his license to do it, and the only limit to his right is the limit of his ability.

The consciences of judges and courts must be brought up to the humane, comprehensive and just standard contemplated by the constitution, and enforce the doing of justice by all men to all men regardless of the ability, wealth or occupation of one, or the stupidity, poverty or occupation of the other, to the end that every human being, without exception, shall be protected and really get the benefit of the rights which the constitution (of California) says are inalienably his, namely, "of enjoying and defending life and liberty and pursuing and obtaining safety and happiness."

The plain object and intent of the constitution in this regard has been, by the courts, from a careless and unpardonable misconception of the true and rightful scope and limits of individual rights, in administering the law, fearfully overlook and disregard it.

They have been seduced by custom and greed into the serious blunder of recognizing as an individual right, a false right; that is, one that does not, never did and never can exist as a right, and which has led to the complete suppression and overthrow of every benefit which the constitutional rights above quoted were intended to secure inalienably to every individual. A false right, the very nature and necessary consequence of which is, so long as upheld, to kill and destroy the beneficence of these constitutional rights. The two cannot live together, because one is exactly opposed to and inconsistent with the other, so if one lives, the other must die.

Up to date, as a consequence of the courts having recognized and upheld this false right and ignored the interest which society must necessarily have in all its members, these constitutional rights have slumbered ever since they were first proclaimed. All that is left of them are words, without force or effect. How long they will sleep depends upon how soon courts go back to the constitution for fresh inspiration and whether or not they catch enough of it to begin over and place the welfare of society above that of individuals who would sink society and all who stand in the way of their schemes to get more than their just share of the products of labor.

The interests of society are superior to every other interest and must be the first to be considered. Society's first concern is, and always must be, its own preservation, and it carefully provided for that by declaring in the constitution that "the inalienable rights of all men are those of enjoying and de-

fending life and liberty and pursuing and obtaining safety and happiness."

But for this declaration in the fundamental law, society would have left itself wide open to be exploited, undermined and destroyed by the very processes which are now, with the sanction of the courts, incessantly at work exploiting, undermining and destroying it. But that declaration, duly enforced, will save it.

Of what value is a declaration as to rights if the rights are never to be enjoyed? These rights are not enjoyed, and my object is to show, in part, why and how, also the relation which those whys and hows bear to the troubles all countries experience between what is popularly called "Capital and Labor."

THE BUSINESS RULE.

Prior to the adoption of the constitution, it was a business rule among all men that each had a right to humbug the other and take any and every little advantage in order to get the best of a trade, bargain or contract of any kind, and no one considered there was anything wrong about it. It was "business" and considered "sharp" and smart to do so. Everybody expected everybody to do it and was on the look-out for it.

The one that succeeded, smiled, complimented himself and was complimented by his neighbors for his shrewdness. If he was exceptionally successful, his fame spread until he became known far and wide as a financier and great man, and soon all the people clamored for him as a leader and insisted on promoting him to some high political office; while other business men who had not succeeded quite so well in humbuggery, wanted him at the head of their affairs because of his proven "executive ability," and bid a big price to get him. So that a big reward of some kind always awaited such a man.

Of course, since one was rewarded and honored instead of being despised and disgraced, as he should have been, for cultivating a superior skill in trickery, it was a great incentive to all men to learn all the tricks possible to get the best of others.

This business rule did not originate in California, however, nor was it confined to Californians. Nobody knows when, or where it originated; but as it prevailed wherever civilization existed, if not over the whole world, and is known to very ancient, it is probable that the first two of our savage ancestors who developed intelligence enough to desire to make a trade, were the first to launch it, and of course with schemers it soon became popular and was gradually adopted by all classes, finally fastening itself upon society as a right.

If what I have said is true as to the origin of the rule, it was at a time so early in the history of society that the only right thought of or recognized was, the right of the individual. It was before such a thing as "rights of society" were thought of; that is, before the time when any one suspected he was under any obligation to sacrifice any personal right or interest in order to preserve the rights and interests of all. At all events, it had prevailed long enough before our constitution to become generally and thoroughly established as proper and legitimate, and it was seldom the courts ever interfered.

In the course of time, however, the mischief and distress it caused, aroused society (which by this time had discovered itself and that it had rights) to try and do something to protect itself, which from time to time it sought to do by enact-

ing laws for the protection of its members. It did not enact laws with a view to killing the rule and wiping it out altogether, but with a view of letting it live and restricting its operation, which it was supposed could be done in such a manner as to leave men free to go on taking advantage of each other in their bargainings and yet protect society. The idea seems to have been to restrain or prevent them from wronging each other to too great an extent or in certain particular ways, not to prohibit them absolutely, and so they made laws defining and punishing such wrongs as house-breaking, forgery, counterfeiting, embezzlement, extortion, false personations and others, and re-enacted them after the adoption of the constitution, just as if it had made no mention of men's inalienable rights at all.

In doing that, society made its first blunder in dealing with the matter.

The blunder consisted in mistaking a great wrong for a great right and undertaking to regulate it (and it is doing the same thing yet), when it should have known that the rule was totally wrong and a wrong cannot be regulated. It is an impossible thing to do, and the law cannot do an impossible thing. The only thing that can be done with a wrong is to let it alone or kill it root and branch. It cannot be compromised with. It is the opposite of right and cannot be blended in harmony with it any more than oil can be mixed in harmony with water .

It is, and always was wrong for one person to wrong another, no matter how he does it, or how little, and no degree of popularity can make it right, nor can lapse of time, nor law, nor any number of them. Therefore, when society sought to uphold the business rule that it is right and proper for one man to do wrong by getting the best of another in a trade, bargain or contract, and at the same time undertook to pick out, name and punish by law particular wrongs, which were in reality only the sum of the lesser wrongs it tolerated, it was an attempt to make a compromise with the general wrong. It was the same as saying, "it is not wrong to do wrong, unless the wrong done is prohibited by statute."

The law books say, "there is no wrong without a remedy," but it is not so; there are plenty of them which no law or court takes any notice of. They are considered beneath the dignity of laws and courts, and yet many of them are big enough to affect the security, happiness and lives of the people.

Instead of specifying certain things as wrongs and prescribing punishments for them, society should have struck at all wrong; and no matter when, where or how practiced, or the degree of terpitude involved, should have said it is a wrong and shall not escape exposure or punishment. It should have said no wrong is too small to be noticed. "Do justice to all under all circumstances" should have been its command. "No man shall be allowed to take any advantage of another

under any pretext whatever, even under the guise of a mutual contract," should have been the business rule enforced.

But society did not do that. It left the strong and unscrupulous free to take advantage of and wrong the weak and scrupulous, and to make it easier for them to do so, its courts invented the doctrine of the sacredness of a mutual contract; the most damnable, indefensible and villainous contrivance of law for helping one man to rob and oppress another that could have been devised, and destructive of society itself.

Where does any man get authority for the right to wrong another by means of a mutual contract?

Does any constitution of any State authorize it?

No; it is an invention of the courts. In California the courts pretend that Section 16, Art. I, of the constitution sanctions and ratifies the old business rule that prevailed before its adoption, but it is not so. They have misinterpreted that section and are doing it yet in the interest of rogues.

Sec. 16, Art. I, of the Constitution of the State of California reads: "No law impairing the obligations of contracts shall ever be passed," and whenever a rogue is one of the parties to a mutual contract that gives him an advantage over the other party to it, he always claims the constitution is behind him and gives him a right to enforce it, and the courts say the same; but they are both mistaken. The constitution does nothing of the kind. It is ridiculous to suppose the constitution includes or has any reference to swindling contracts or any contract except such as gives each party to it a *quid pro quo*, that is a fair exchange, just recompense, as much for as much.

Any interpretation that would make it uphold and enforce a contract that wrongs one of the parties to it, no matter if it was mutually entered into without fraud, would be to make the constitution directly conflict with itself, for its general object was, and is, the protection of every man equally in his inalienable right to enjoy and defend life and liberty and pursue and obtain safety and happiness, not to deprive him of such protection.

Would any court, or anyone else, say men cannot be deprived of life or liberty or safety or happiness by means of mutual contracts which give one of the parties an advantage over the other, or that it has never been done? It is true, men enjoy a kind of life, a kind of liberty, a kind of safety and a kind of happiness now, but is it the full and complete life, liberty, safety and happiness they should have and that the constitution contemplates? And is not their incomplete enjoyment due to the fact that they have been swindled out of it mostly by means of the mutual contracts they have entered into and which the courts have held should be enforced, because mutual, without stopping to inquire if they are just?

Because society did not long ago set its face resolutely against all wrong, but tolerated and encouraged those men most resourceful in methods of wronging others and who

could wrong the greatest number, permitting its courts to enforce their unjust contracts, thus helping them to do it, it is to-day wrestling with a condition of industrial slavery that is appalling. A condition it is much concerned to know what to do with, and one which must be remedied or a few more years will surely bring those "sadder developments yet to come" predicted by Mr. Cleveland, and what they will be, God only knows.

If industrial slavery exists, it must have had its cause, and the unpardonable and indefensible attitude of the courts which permits one man to wrong another on the plea of a mutual contract, is chiefly responsible for it.

In this lies the secret of the power of great corporations to defeat hired men of every vestige of their rights guaranteed by the constitution, and they make good use of it to do so.

ATTEMPTS TO CUT OUT CAUSES THAT HAD FOSTERED INDUSRTIAL WRONGS.

At the time of the Declaration of Independence, the people undertook to start the new nation off on principles broad enough to cut out the causes that had always fostered the industrial wrongs men had suffered, and lay the foundation for insuring security and happiness to future generations, so they said:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness."

The people of California, in adopting a constitution for their government, seemed to think the language of the Declaration of Independence could be improved upon for the purpose of securing the rights of idividuals, so they said:

(Sec. 1, Art. I.) "All men are by nature free and independent and have certain inalienable rights, among which are those of enjoying and defending life and liberty; acquiring, possessing and protecting property; and pursuing and obtaining safety and happiness."

In making use of these words they were evidently determined to let all the world know and have no misunderstanding about it, that every citizen of the State was, and should always be, free and independent; that he should have the right to enjoy life; the right to defend life; the right to enjoy liberty; the right to defend liberty; the right to acquire property; the right to possess property, (it does not say the right to own property), the right to defend property; the right to pursue and obtain safety and the right to pursue and obtain happiness; and that every one of these rights should be and remain inalienable; that is, that no citizen of the State should ever be deprived of them, or any of them by any person, power or process whatever; nor could any individual by any means or methods whatever deprive himself of them or any of them, except by dying.

Now, that all sounds first-class in every particular. A person would think it could not be improved upon for the purpose of declaring and safe-guarding these rights to every person. One would think to read it, if he was away off in—Africa, for instance, that every man, woman and child in that "glorious California" had a solid grip on Life, Liberty and Happiness and on the Possession of sufficient Property to make each of these things, which all desire, a certainty, something absolutely secure to them and their children forever; that no matter what happened, none of these could be taken from them.

But, did the members of the constitutional convention who

got up that Declaration of Rights, and submitted it to the people for adoption know what they were doing?

Did they purposely frame it to proclaim the doom of greed?

Did the people know when they adopted it they were laying the foundation for the overthrow and utter destruction of all the selfish rules and customs which, up to that time, had been practiced to keep them out of the enjoyment of the rights they had just declared were inalienably theirs?

If nobody had in mind this sweeping reform, this going back to first principles to secure the rights acknowledged, why were these rights declared at all?

Why did they not keep silent as to the rights of all and say "there is but one right, the right of the *trickiest, shrewdest,* scheming liar, and his right is to get all everybody else has or is entitled to if he can, and keep it to mould and rot or use it to corrupt others, or corner it so no one may enjoy life, liberty, safety and happiness, except as it pleases him.

That was the only right recognized before the constitution, and one would think from the wording of that document that its object was to wipe it out and substitute in its place the right of everybody to have things, so everybody could enjoy life, liberty, safety and happiness, and nobody be able to corner anything to prevent such enjoyment. But as, since the adoption of the constitution, the right of the schemer and liar has not been interfered with, it would seem that the rights of all were not, after all, a matter of much consequence, or else the courts have been hoodooed, they have never paid the slightest attention to seeing that anybody enjoyed them. They have interpreted the constitution to mean that those who made it did not mean it should mean what it says, and, as a consequence, the one right has continued to flourish, if anything, the constitution has been interpreted to help it to flourish.

THE COMMITTEE FROM MARS.

Let us suppose that some fellow, with the assistance of God, went to the planet Mars about twenty-three years after the adoption of the amended constitution of the State of California, and took with him a true copy of Sec. 1, Art. I, (which contains the Declaration of Rights) certified by the Secretary of State to be such, over his hand and the Great Seal of the State, but not another word of information about the earth, spoken or written.

That when he got there he found a strong party of Socialists who had been laboring long and hard to get the people to adopt their ideas of how things should be arranged and managed to secure their rights, and they were just then in the excitement of holding a big convention.

He stepped to the platform during a lull in the proceedings and handed the chairman the copy of Sec. 1, Art. I, he had brought along.

The chair, after examining it and realizing what it was, commanded "Order!" and requested the secretary to read it aloud to the convention.

The Secretary then read as follows:

Solar System No. 1;
Planet Earth,
Western Hemisphere,
United States of America,
State of California.

"Constitution of the State of California.

Article 1.

Sec. 1. All men are by nature free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty; acquiring, possessing and protecting property; and pursuing and obtaining safety and happiness."

The secretary had no sooner finished than the convention was in great excitement. Every member recognized at once in what he had just heard read, an acknowledgment of the principles of Socialism, and without hesitation concluded that the industrial and social relations of the people in the State of California, United States of America, Western Hemisphere, Planet Earth, had reached that perfect state they wished their own people to enjoy. That Declaration in their Constitution left no doubt of it, and the news flew, creating the greatest enhusiasm among Socialists ever before heard on the planet Mars.

The result of this positive proof as to the certain triumph of socialist principles on earth was, that every last socialist orator packed his grip and started out with fresh zeal to stump it for the cause. Pointing his hearers to Earth he told

them of the glorious example and advanced civilization of those incomparable men inhabiting the State of California who had the good sense to declare for a government based on first principles, the very ones we have been advocating, and because of it, were able to climb out of industrial serfdom and enjoy their God-ordained inalienable right to Life, Liberty and Happiness.

"What a grand, complete and satisfying thing life must be down there in that sunny California, United States of America, Western Hemisphere, Planet Earth; a perfect Paradise, where every one is secure in the full enjoyment of these fundamental rights, and distress is unknown. Where no one, not even the humblest, suffers privation, oppression, want, misery or injustice at the hands of the rich as you do here, because all live under the protection of this imperishable Declaration, which makes those things impossible.

"Think of it, my friends! Think how you are constantly robbed of what your industrious hands produce; how you are oppressed by the few plutocrats of Mars—your own beautiful Mars—who have gradually and slyly shaped the laws and manipulated the courts until they have everything their own way.

"Have they not acquired title to all the land, and control of everything that is necessary to life?

"Do they not deny your right to everything except the driblets in wages it pleases them to pay you?

"What else have you? Put your finger on one thing if you can, and say, 'that is mine clear of debt.' You know that very few of you can do it; and isn't it a shame and disgrace to men and women of your high intelligence and undoubted courage who outnumber and could out-vote your oppressors ten to one to longer submit to these wrongs when, by simply uniting and voting together for those of your own class, known to be such, you could so easily rout the robbers?

"Why, bless you! could the shrewd and brainy people of the Commonwealth of California, United States of America, Western Hemisphere, Planet Earth, who dwell in the security which this (waving above his head the Declaration) glorious and invincible document gives them, know of your stupid and unpardonable political practice of splitting the power of your votes at each election between the candidates put up by the Plutes, and whom you should know will be their willing tools to fix things so as to keep you where you are and never let you acquire any other interest on the Mars than the privilege of doing the work; could they know how you thus array yourselves against and fight each other instead of your common enemy, they would laugh at your gullibility, pity your ignorance and sneer with contempt at such of you as make pretensions to possessing any manhood whatever. They would say you are wholly destitute of that spirit of greatness which always inspires those deserving to be free.

"Could they talk to you they would tell you that better

conditions never come to cowards; that hope always precedes a plan as thought precedes an effort, that he who sleeps or plays when thoughts are necessary to his rights, will never get them.

"No, my friends, your inaction and indifference to the industrial chains that bind you to perpetual toil for the benefit of others, when you have the strength to break them, is enough to astonish the Devil and I appeal to you again to awake, arouse, stir yourselves and cast them off. Be no longer the timid slaves of your inferiors, challenge at the ballot box their right to own the Mars or rule your lives and destinies. Put an eternal end to their insufferable tyranny and let us make and enforce a Declaration like unto this that blesses our progressive, free, independent and happy neighbors down there in the State of California, United States of America, Western Hemisphere, Planet Earth! (and the vast assembly arose en masse, threw up their hats and cheered.)

"The perfect liberty and security which our brothers in one corner of yonder bright blazing star now enjoy, is *yours* my *swindled* countymen if you will only decide to take it!

"How much longer will you tamely submit to being robbed of 'the privileges and rights which God means for all men: the privilege to toil, to breathe pure air, to till the fertile soil. The right to live, to love, to woo, to wed, and earn for hungry mouths their meed of bread'?—I thank you for your earnest attention." (The audience again arose, threw their hats and were yelling approval when a venerable Plute who had been listening got up, and putting both hands up, palms outward as if to pronounce a benediction, commanded silence.) "Mr. Chairman, I should like to know what proof this Socialist has of what he has been saying. These good people have it hard sometimes in periods of depression, it is true, but so do we; still they have generally been contented with the lot the good Lord has seen fit to provide for them and I think it is very wrong for this enthusiast and disturber to come here and try to inflame their minds against the present order of things unless he has proof of a better way."

Soci. "The proof is right here, (holding up the copy of Declaration of Rights from California) read this official document it speaks for itself."

Plute. (Reads it) "I admit that a true construction of the paper should give the people of the State of California, United States of America, Western Hemisphere, Planet Earth all the rights you mention, but what I claim is that, notwithstanding the document says such and such rights *belong* to them, you have no proof that they *actually enjoy* them; and so I say you are nothing but an agitator, a disturber and the police should run you in or make you keep still."

Soci. "I am indebted to the gentleman for his moderation and am pleased to note his admission that this document is broad enough to give to all the people it was made to protect all the rights I have named. In regard to his statement that

I have no proof that they actually enjoy them, I would say it is simply preposterous to doubt it. No people, not even our own, and God knows they are slow enough and gullible enough, with such a plain and explicit Declaration of Fundamental Rights, would submit to being deprived of them or satisfied with anything less than the full enjoyment of them. They would fight first."

Plute. "I cannot agree with you. I have had some experience in political conventions that got up platforms with high sounding principles, and while I was always perfectly sincere in the matter myself, I regret to say that others, seeing how satisfied and contented the people always were with mere pledges and declarations of great principles, took care to keep the principles securely chained to the platform and never let them go any further, while they proceeded to possess for themselves the substance for which the principles stood, just as they had always done before; and as I believe human nature to be the same everywhere, I cannot think the eulogy you have delivered here on the people of the State of California, United States of America, Western Hemisphere, Planet Earth, altogether merited.

Now, as discussion is useless without further proof, I propose that you act as a committee of one representing your Class and I will act as a committee of one representing mine and we will go and investigate for ourselves how much of the rights the people of California actually enjoy, which you have so confidently boasted they do enjoy. If you find things as you have pictured them, I will not only apologize for this interruption but will heartly join you in the so-called reforms you advocate, so long as I remain on the Mars."

Soci. "That is impossible. We have no money for expenses. You have it all."

Plute. "Never mind the expenses then. I'll stand for them and we'll go the way this imported emissary and agitator got here with that incendiary document to disturb the peace of Mars with its new notions. Is it agreed?

Soci. "Agreed."

The Chair. "It is to be hoped the committee will be as expeditious as possible and report at the earliest day. The audience is dismissed."

Just as the Sun was quitting the Heads at the Golden Gate and dropping behind the Pacific, on the evening of August 19, 1903, the gentlemen of the committee from Mars, accompanied by their visitor and guide, the "agitator" from California, entered the Earth's atmosphere and were swiftly but silently approaching San Francisco; the Socialist smiling with confidence, the Plute looking serious and solemn as if filled with doubt.

In a few moments, and just before the electric lights of the city were turned on, the trio touched ground on New Montgomery street near the entrance to the Palace Hotel. "This way gentlemen," said their guide, the agitator, who conduct-

ed them to the spacious court of the hotel where the stranger might imagine himself in the Tropics, because of the large palms and other vegetation that surrounded him on every side.

Mayor Schmitz happening to be present, was immediately presented to "A committee from the planet Mars, your Honor."

"Gentlemen of the committee from the planet Mars, it is the Supreme pleasure of my life to greet you, and as the chief executive of this great city of San Francisco, I welcome you in the name and on the behalf of its contented and happy people, (at these words the eyes of the Socialist instantly sparkled with delight. The Plute looked sober.) So long as it pleases you to honor us with your presence, you are cordially invited to consider yourselves the city's special guests. I beg that you will also consider that I shall esteem it a distinguished privilege to be permitted to render you every service in my power in connection with the object of your visit. I will have the clerk assign you apartments and at eight p. m. shall expect you to dine with me, after which I will be pleased to personally escort you through a portion of our city."

Soci. "Mr. Mayor, this mark of respect you have so kindly shown us is very gratifying, and harmonizes perfectly with my conceptions of the character of the people who enjoy, as yours do, the inestimable blessings guaranteed by your Declaration of Rights. (Declaration of Rights?, his Honor thought, what the devil can he be driving at?) At the same time I have to admit that, having lived under an economic system so vastly different from yours, and where selfishness is the motive that determines the actions of every man, it is hard to realize the fact that so warm a welcome is really ours. I thank you very much and assure you we greatly appreciate your kindness and hospitality."

The Mayor, as he extended his hand without speaking, wondered to himself how their economic system could differ so much from our own if selfishness played such a prominent part in it. Yet it was evident from the pleased expression on the fellow's face that in some way it must, although he could not account for the gloomy countenance of his companion, the Plute, and did not feel at liberty, so soon, to be inquisitive. By shaking he only meant to say, "well, goodbye for the present," but the Socialist, in fervently grabbing it, interpreted the Mayor's hand shake to mean "by-Jove, that's so!" To what he himself had just said, and fancied he had found a "Comrade." The Plute only looked on coldly and listened. There was no feeling in his shake. The facts seemed to be multiplying against him. He said nothing, and as they turned to go to their rooms and he noticed so many finely dressed men and women lounging about and promenading the spacious and richly furnished and decorated halls and corridors, dispair and dispondency about got away with him, "what the damned Socialist said up on the Mars might be true after all" he thought.

The sight of the same things, however, made the Socialist inwardly exult with triumph, while the sumptuous luxuriance of their rooms with every modern convenience to contribute to comfort, only increased the dismay of the one and the joy of the other.

After dinner and lighting cigars the Mayor said: "Now gentlemen, I shall be delighted to go out a little with you. This is about as favorable an hour to take in a portion of the sights on Market street as we could choose and an Auto awaits your pleasure." They were both ready. The Socialist, with head and spine erect, almost strutted as he walked beside his Honor, the personification of confidence and victory, while the Plute looked the opposite, worried and dejected.

Emerging from the hotel at the Market street entrance, the rays of thousands of electric lights poured into their astonished faces, and for a few moments their feet refused to move. They stood there in speechless amazement at the bewildering sight. Every building in every direction as far as they could see, and from pavement to cornice, was draped in lines of brilliant lights, while the street, some thirty feet from the ground, was canopied by what seemed like millions of twinkling stars that stretched away in the distance.

Finally rising in the air and illuminating against the night
A mighty building, with central tower, in a blaze of mellow light.

It looked to them as if a section of the Milky Way might have been let down for the special accommodation and pleasure of this favored people.

"Wonderful! Wonderful!" both finally recovered enough to exclaim. "Ah, my God, Plute," said the socialist, "I expected to find here all I pictured to the people in my speech on the Mars, but I never, *never* thought of seeing anything half so grand as this."

The Mayor, who had been noting their amazement, now gently nudged them, when they faced about and again burst into exclamations of surprise and admiration as their eyes caught sight of the great white, dazzling arch of "Welcome" that spanned Market street at Third, and the sea of lights beyond. "Plute! Plute!" shouted the socialist waving his hand to include all they saw—"these are some of the fruits of industrial freedom!"

"When it pleases you gentlemen," said the Mayor, "kindly take seats in the auto and we'll take a spin beneath this section of the Milky-way," (pointing towards the Ferry depot.)

It was hard for the committee from Mars to take their eyes from the glittering show long enough to comply with the Mayor's invitation, but once seated they found their opportunities to see, considerably improved and became so absorbed that they neither heard nor saw other things that would have forcefully reminded the Socialist of the miserable conditions he had complained of on the Mars.

The horseless, upholstered carriage that bore them swiftly down Market street, necessarily attracted a little of their attention and curiosity, but the big Union Ferry Depot that loomed up in glowing radiance straight ahead was their chief wonder. Alighting just as a great throng of people poured through the Ferry building from the Oakland boat, the committee recovered enough from its surprises to begin to think of its mission on Earth and ask a question or two.

"This is a very large and beautiful structure," said Plute, and then timidly, as a feeler, "may I ask who is rich enough to own it?"

"This?" said the Mayor, "Why, this building is the Union Ferry Depot and is owned by all the People."

At this answer the Socialist punched Plute in the ribs with his elbow and laughed right out. (Another clinching proof that I was right, he thought.) But Plute never even smiled.

The Mayor, being entirely ignorant of the object of their visit, was unable to understand why his answer made the Socialist feel so pleased or the Plute so apparantly displeased.

The crowds of people coming and going made such a clatter on the cement floor, and there was such a constant buzz of voices, that it was very difficult to hear ordinary conversation, so the committee from Mars only walked about, guided by his Honor, looking at the arrangement of the building and listening to such explanations as his Honor found opportunity to make.

There was however a further reason on the part of the gentlemen from Mars for not pressing questions. Neither felt very sure of his position, yet, and both had a lurking dread of ridicule should his Honor or the World know of the differences that caused their inter-planetary journey.

Notwithstanding their deep absorption in the electrical display, some few things had occurred within their sight and hearing or in sight or hearing of one or the other of them to both encourage and discourage each in his expectations. For instance, the Plute thought he heard one man say to another, "damn you, I tell you that is *my* property, I paid for it and I will have it!" and he could not help thinking at the time. "If I heard that fellow right it sounded just as if I was at home."

He had no idea though whether by "property" the fellow meant land, machinery, tools of production, or just his own personal effects, so the only point he could see in what the man said that favored his view was that, "property" in *something* appeared to be recognized as capable of private ownership, and he hoped to find that everything was, the same as on the Mars.

At an other time both heard two men talking very earnestly, and distinctly heard one of them say, "the people are fools if they do not vote to own and operate the Geary street road; the revenues will be ample to pay all the operating expenses, give shorter hours and better pay to the men, keep the road

and equipment in a far better condition than it is now, lay by a sinking fund sufficient to discharge at maturity the bonds as they fall due and leave a large surplus to go into the people's treasury, even if fares are reduced, which they certainly would be." And the Socialist and Plute looked at each other as much as to say, "did you hear that?" The former was sure it corroborated his views because the *people* were evidently considering whether to own and operate the road, give the men shorter hours and better pay and have a surplus to go into the public treasury. He could not understand from what little he heard, whether private enterprise owned the road now or whether they were talking of building a new road, but if the road was already built and owned by individuals, he supposed it was because, in the transition from private to public ownership of all things, which the Declaration of Rights clearly contemplated, the process was gradual, and this was one of the things they had just come to and the question to be voted on was whether the people were ready at this time to take it over. But the Plute's ears were quick to catch the word "bonds" spoken, which was such a familiar word in business and banking circles on the Mars that he was quite sure there must be some sort of a capitalistic system down here that resembled theirs, notwithstanding their boasted Constitutional Declaration as to the Right of "All Men."

On the way back up town they were able to notice little else besides the great display of beautiful lights which from this new point of view, presented another grand and impressive sight. The clanging of cable car gongs at the Ferry however atracted their attention to another kind of wagon not drawn by horses in which every body who wished, seemed to ride getting on and off at pleasure. Neither could hear the conductor call out "fares, please!"

So the Socialist concluded, as the Declaration of Rights was so specific in regard to all having the right "to acquire and possess property," it would naturally follow and was highly probable that this peculiar conveyance belonged to the people and was a free-to-all contrivance such as an enlightened and progressive community would inevitably demand and have for their own convenience and pleasure. It could not be possible, he thought, that they would tolerate a great public necessity, which this manifestly was, to belong to any individual or company; that was too preposterous.

So, so far as this matter was concerned, he decided that what should be, is, and no Plute had his hand in the people's pockets fishing out the money necessary to run the road and a great deal more besides.

Plute had no idea as to what the facts were as to ownership nor did he speculate about that; he was meditating on a different proposition, and rubbed his hands gleefully, in fact absent mindedly, figuring out what a mint of money he

could make out of it if he only had a monopoly on such a rig as that, up on the Mars.

The thought of the possibility of such a thing so completely possessed him that after going a block or two up Market street he forgot all about everything around him until the City Hall, enveloped in a blaze of light, came suddenly in full view and the Socialist, unable to control his legs or nerves, sprang to his feet giving vent to his amazement and delight at the dazzling splendor of the huge pyramid of fire before him with "Great God, Plute, look!" and this awoke him from his dream of wealth.

"Gentlemen," said his Honor, "this is our City Hall, and to-morrow I shall hope for the distinguished privilege of showing you through it and explaining to the best of my unpretentious ability our unexcelled system of conducting the various departments of the municipal government."

At last, without being obliged, so far, to announce to anyone the object of their mission on Earth, the opportunity seemed at hand to obtain the information they wanted, so both at once gave assurances of their great pleasure in accepting the Mayor's "obliging invitation," as the auto wheeled about and sped towards the Palace.

On the way, each took more or less notice of the great orderly crowds of people that filled the broad sidewalks and overflowed out on to the wide clean-swept asphalt street, a quarter or more of its width on either side, all going or coming and nicely dressed and apparently happy. Not a single beggar was seen nor any sign of disturbance, a common spectacle on the Mars.

Once in their rooms, each endeavored, from all he had seen in the course of the evening, to anticipate the truth as to the effect of the Declaration of Rights they had read, upon the social and industrial status of the people, yet each was anxious to turn every incident and circumstance he had met with, that he possibly could, to confirm his preconceived opinion that the Declaration of Rights referred to was put in practice according to the full scope of its meaning, as the Socialist had contended, or that no practical attention was paid to it as was suspected by the Plute.

Plute soliloquized as follows: I have to confess to myself that I feel a little bit shaky as to my position so far as concerns some things I've seen to-night. There is that marvelous and monstrous electrical display, for instance, the cost of it must be too great for any individual or company to undertake, besides, it must require an army of men to make it and look after it, more in fact than I can conceive it possible to be in the employ of any private concern. But if it is really so that private capital does it, there must be some giants of finance here, away ahead of any on the Mars, and besides, they must enjoy some special privilege, power or pull or some methods unknown to us and that we are not up to, be able to get the job at all, for surely there is a lot of

money in it for profit because it's a big deal, and the rule with us is, the bigger the deal the bigger the steal. I believe they call it "graft" down here or "rake-off," and these fellows, no doubt, can discount us in that line if they are shrewd enough to manage to get such a contract.

The people I've seen so far, look too confounded smart to let any contractor get away with a thing of that magnitude when they have to foot the bills and could have done it themselves as well as not. On the Mars, we think we are capable of working the people to give us contracts to do some pretty big things which they might do themselves and save our profits. In fact they often grant us a right for a great many years to do things to the exclusion of their own right even, and pass laws and ordinances that give us a monopoly, and then you ought to see the people rustle for nickles to pitch at us daily as long as they live, and how they seem to delight in doing it. But then it is perfectly natural, they were born to think they must and that we were born to take them, so of course we do it. There is nothing else we could do. They want it that way, will have it that way, and wouldn't be happy if it wasn't, and of course we can afford to oblige them that much. It is our idea that when we contribute to the happiness of the people we are doing good, even if they do pay for it.

I don't believe that would work here though, and as to getting a contract to do all the lighting I've seen to-night, none of us would dream of it, even if we had the money to put in a plant big enough and knew how. No, our people are easy because they don't know any better, but dumb as they are, that would be beyond the limit. They would say: "guess if you can, we can," and they would, too.

So it must be that every one of those thousands we saw on the street to-night admiring the incomparable display of lights, were merely walking about and admiring their own property and work, something they very likely take great pleasure in doing whenever the weather permits.

And so the Plute went off to sleep with grave doubts as to whether his statement on the Mars that "human nature was the same everywhere," was true or not. It began to look to him as though the people of the State of California, United States of America, Western Hemisphere, Planet Earth, must be an exception, and the Socialist was probably right as to the Freedom, Security and Happiness they enjoy under and by virtue of that Declaration of Rights in their Constitution.

He had been unable to recall anything he had seen or heard so far to corroborate his expectations except the word "bonds" in one conversation and the words "property is mine" in another, while he had seen and heard much that seemed against him.

The Socialist once alone in his room, on the other hand drew much hope from what he had seen and heard that the people enjoyed all the rights he had claimed for them and

that it was due entirely to that section of their Constitution which declared their Rights.

For instance, he had noticed a great gathering of elderly gentlemen and ladies about the hotel greeting each other with such hearty good will and cordiality, it was impossible for him to account for it on any other theory than that they were living in a state of Security which would naturally and inevitably result from their Declaration of Rights, if it was practically carried out according to its true intent and meaning. At all events, he had never seen on the Mars, where he knew there was no Declaration of Rights, any such comradeship, apparent good fellowship and brotherly solicitude among the people for each other's good health and prosperity, so he felt sure these happy folks could not be living in a state of constant strife, each trying to get some advantage of the other, as they do on the Mars.

(It was National Encampment week of the G. A. R. and many of the Veterans of the Civil War, from all parts of the country were quartered at the hotel, which was also headquarters for several states, and of course there was much hand shaking from those who had not met before for years, but the Socialist knew nothing about that.

The grandeur of the street lights, that turned night into day, and the great crowds of nicely dressed people he had seen admiring them was, to his mind, convincing proof that they owned them as they should do under their Declaration of Rights, so, he too, turned in, but somehow could not sleep.

After tossing about a while an idea came to him that would not go away. He should dress, make a copy of the Declaration of Rights, omitting the number of the section and article, and go down and show it to whoever he happened to meet and ask a question or two. Surely, he thought, every man, woman and child will be as familiar with that Declaration as they are with their a, b, c's, for so much depends upon it. It is the great charter of their Liberties, the thing that safeguards every one's Life, Security and Happiness and must be such a precious inheritance that it is drilled into the mind of every child from infancy, and the humblest citizen must be familiar with it.

The first person he met was the clerk in the office. "Here is something that was handed to me and I would thank you to tell me what it means," he said. (Clerk reads and frankly says) "I am sorry sir, but I don't know. I'm from Missouri and not long in the city."

Missouri, Missouri, and he don't know? thought the Socialist. I wonder if that's another world, I don't remember ever hearing of it.

Clerk. "Here's the proprietor, he'll tell you." "This gentleman wishes you to explain this."

(Prop. reads.) "Really sir, it is a long time since I looked inside of a history and I forget, I think though it is a part

of the Declaration of Independance. The Reverend Doctor S., here, is probably familiar with it, he will tell you.

(Rev. S. reads it.) "Yes that's a quotation from the Declaration of Independence, isn't it Mr. B? Here, please look at this, you're a lawyer and something of a politician too. You've been a member of the legislature two terms, you ought to be posted."

Lawyer B. "Well, I suppose I have read that a hundred times, still I am not sure if it is a part of the Declaration of Independence or a part of the Constitution of California. You see they are a good deal alike in this respect but it is so seldom we have occasion now days to refer to this particular clause in either our state Constitution or the Declaration of Independence that I am a little rusty in regard to it. I have practiced law in the state and Federal courts for the last thirty years but I never knew of a case that called out a discussion of the rights referred to. What is your experience on he bench, Judge (addressing Judge M. who had just entered.) We were just talking about this: (reads aloud) 'All men are by nature free and independent and have certain inalienable rights, among which are those of enjoying and defending life and liberty: acquiring, possessing and protecting property; and pursuing and obtaining safety and happiness.' Is that the language of the Declaration of Independence or of the Constitution of the State, and is it often cited or called in question in your court?"

Judge. "To the best of my *recollection, that* is the language of the Constitution of this State, but I do not remember what section it is, or in which Article it is found. No, I do not recall a case before me where it was ever cited or where it was urged tha the decision of the case turned or depended upon a construction of it. Those rights are fundamental you know and no lawyer ever thinks of questioning them nor has any court, so far as I know, been called upon to construe them. They need no interpretation. The rights are conceded so universally in this country that you might say they are 'shelved' that is, laid away, packed up and locked up in a safety deposit box as it were and taken out only on speeial occasions, as on the Fourth of July, read to those assembled and laid away again and not thought of until the next Fourth."

The Socialist was bothered. He did not know what to make of his interview. He was disappointed. He had supposed that even school children knew all about the Declaration of Rights and could tell him, and here he had found that business men and preachers did not know it when they saw it; even lawyers and legislators were "rusty" in their memory of it and judges were not familiar enough with it to say in which Section or Article of the Constitution it could be found. So the only thing that encouraged him at all was, what the judge said about the Rights being "universally conceded." This he took to mean that they were also universally enjoyed

and had been for so long a time, that the Declaration had got to be an old story and it was no longer necessary for the people, the preachers, the lawyers or the courts to refer to it, or remember it.

This reflection was somewhat comforting but not at all convincing to him, however he would probably get at the facts to-morrow and went back to bed.

Before four o'clock next morning he was aroused by loud calls and cries from the street that sounded like children appealing for help and bounded out, hurriedly dressed, and was soon at the front door. Here half a dozen litle boys, some looking like mere babies, rushed at him and nearly climbed over him, each sticking a paper in his face with, "Paper, Mister?" then dashed away shouting at the top of their shrill voices, "Morning papers, all about—" and he thought: "My God, what does it mean! Here it is hardly day-light and these poor little tots are out selling papers when every one of them should be in bed asleep. I don't understand it. Surely these children cannot be out here at this hour because they prefer it to home and a warm bed, nor can it be possible that any great public necessity or emergency demands such a sacrifice of sleep and rest from such youngsters—"Hey, there! my little man, (boy runs to him thinking he wants a paper) tell me why it is necessary for you to be out so—"

"Want a paper?"

"I can't read it, tell me why—"

"Oh, gwan! what yer giv'n us?—Morning paper!" and he ran away leaving the Socialist half of the committee from Mars staring at him, his notions of Rights under the Declaration taking a tumble towards zero, as he shoved his hands in his pants pockets and started aimlessly in the direction of Third street trying to think, but it was no use.

The clanging gongs of street cars, puffing of automobiles, rumbling of heavy drays, high keyed screaming of newsboys and other venders made a bewildering racket, while crowds of men and women from youth to old age, each with a small basket, bucket or grip in hand jostled him as they hurried along in both directions as if pushed by some urgent necessity to get somewhere without the least delay. "What, thought he, can be the industrial conditions here that cause all these people to be in such a rush at this early hour? Is it an emergency, or the regular thing? Are they bent on pleasure or work? Is it their day off, or day on? It must be one or the other for no people could stand it to maintain such a speed every day. The buckets and baskets remind me of our dinner-pail brigade on Mars except as to the early hours and hustling movement. Our workers do not get out so early nor are they in such a hurry." Just then he came to a group of elderly men whose breasts were decorated with ribbons and badges, talking of a monster parade yesterday. "Forty thousand of the old

boys in line," said one. "The music made me young again," said another. "Thirty thousand school children reviewed us," said a third. "T'was the most glorious re-union and reception the Grand Army ever had," said a fourth. Ah, I see, thought the Socialist, and his hopes began to repive: this is a holiday week and accounts for all this rush and racket, and he turned to go and get Plute out. He found him just coming from his room as he got there.

Plute. "Hello, Soci, aren't you out early, haven't been out all night have you? You mustn't get gay 'cause your wife's away."

Soci. "No, Plute, I've been out making a few observations."

Plute. "But you don't look well, anything gone wrong?"

Soci. "I'll tell you, Plute, when I first went out this morning I ran up against conditions that reminded me so much of Mars, for awhile I imagined myself at home, and almost weakened. Perhaps my nerves still betray the shock of it, but when I learned this is a holiday week here in honor of some old soldiers, I concluded the conditions that depressed me were only temporary and due to their festivities, so I felt better."

Plute. "Oh, you are always bothering about conditions! What is wanted is men. Give us men and they'll make the conditions. Come let's go to breakfast and be ready for the Mayor. You'll be wiser before night."

Soci. "And so will you. But do you think conditions have nothing to do with making men?"

Plute. "Conditions nothing! *Smart* men do it all."

Soci. "Yes, for themselves."

Plute. "Certainly, and 'aint that right? Who else would they do it for? If we help ourselves, don't we help you?"

Soci. "To be sure, every time we get seventeen cents, you take eighty-three. That's the way you 'smart men' make conditions. You always make them to keep other men down and under. You are only half right when you say men make conditions; they do, but it is also true that conditions make men; and when the conditions are right none of those things can happen. All will be on top and nobody down or under, because it will neither be possible or profitable for one to wrong another. All will in fact, enjoy Life, Liberty and Happiness. Conditions that make *men*, will permit nothing less than this to be the inalienable inheritance of all!"

Plute. "Oh, you fellows would have a kick coming, anyway!"

Soci. "You may be sure we will as long as there is a plutocratic kink left in the industrial tangle to be kicked out."

Mayor. "Good morning, gentlemen, if you are ready and it will be agreeable, we will take a car and avoid the crowd."

Both. "Certainly, your Honor, we shall be delighted.

Conductor. "Fares please?" and the committee saw his Honor hand him fifteen cents.

(Plute thought. I wonder who gets that and how much of it is profit.)

(Soci. thought. That probably is to pay actual operating expenses.)

Mayor. "Here we are, gentlemen, this is the City Hall," and they got off and walked towards it through the little plaza by the big cannon and stood near the Lick Monument, the committee from Mars intently admiring the stately building.

"The figure you see on the dome," said the Mayor, "represents Justice and Liberty."

(How appropriate! thought the Socialist.)

(A figure of Justice and Liberty is one thing, to *have* Justice and Liberty is another, thought Plute) and below it, learned and impartial judges weigh in the scales of Justice the claim of every man that has a grievance."

(What a glorious privilege the people enjoy, thought the Socialist.)

(These Judges must be a rare breed, surely, thought Plute.)

Soci. I do not imagine they can have much to do, under your admirable system of government?"

Mayor. "Beg your pardon, they have really more than they can do, and there are twelve departments of the Superior Court with one Judge in each and five Justices of the Peace in this building besides four police Judges at the Hall of Justice on Kearny street and each holds court daily (except holidays) throughout the year."

Soci. (The Socialist grew pale) "I can't understand how your people can possibly have so many grievances to be adjusted, living as they do under such an equitable constitution."

(Plute smiled. "It looks as if it was coming my way now, sure. Constitutional moonshine—that's what it is!" he thought.)

Mayor. "It seems foolish to me too (but what the Devil has the Constitution got to do with the number of law suits, I wonder, he thought) but they always find something to quarrel about and I suppose always will."

(Plute to himself, "Of course they will. It's perfectly natural if there's competition, and every thing indicates there is. If they've got competition, they've got Plutes. The two go together, and Plutes lie down with the common people like lions lie down with lambs. Judges and courts on Mars are mere harvest machines for Plutes and perhaps its that way here. Ours run throughout the year, too; its always harvest time with us and sixteen Judges, five Justices of the Peace and twenty-one courts would be nothing there in a town of this size.")

Mayor. (Stepping a little out towards the street.) "Yonder wing is the Hall of Records."

Plute. "And what does that mean?"

Mayor. "Why, all titles are recorded and preserved there and—

"What titles—whose titles?" (interrupted the Socialist anxiously.)

Mayor. "Titles to real property of all the people's Deeds, Leases, Liens, Land Contracts, Mortgages and such other instruments as affect any interest in land."

Soci. (Hopefully.) "Do you mean that *all* the people have an interest in land?"

Mayor. "Oh, no! not all the people. All people do not own land. It is mostly owned by a few. The bulk of the people own none; they lease. Some own their homes, some partly own them, others own nothing but a few household goods and perhaps a cow, horse or team, cart or wagon, and may be a few simple tools, while others own nothing at all but the clothes on their backs."

(Soci. to himself. My God, what a revelation!)

Soci. "Surely the laboring men, those who do all the hard work, are provided with homes?"

Mayor. "Oh, yes, but they have to pay rent. Very few, in fact less of that class own their own homes than any other."

(Plute to himself. Just what I expected. It's worse than Mars. Now, I know there are Plutes among them. Soci's dream of Rights because of a Declaration of Rights is doomed. Its fading fast. I'm rarely affected with sentiment, but I pity him. Rights and Plutes don't affiliate here I see, any more than at home. Why should they? They can't. They won't mix. They *can't be made* to. It ain't natural.)

After a moment's reflection the Socialist ventured to inquire—

"Don't the people own the car line we came here on this morning?"

Mayor. "Oh, no! not any of it. That is the property of the United Railroads, a private corporation.

(Plute to himself. God, what a snap it must have!)

Soci. "And the majestic display of lights last night, did a private corporation do that?"

Mayor. "Yes, under a contract."

Soci. "And those in the hotel?"

Mayor. "Yes, every light in the city.

(Plute to himself. Gee, what a cinch!)

Soci. "Well, do the people own nothing?"

Mayor. "Oh, yes, this City Hall is theirs, the Ferry Depot you visited last night, Hall of Justice, Jail, some of the Public School buildings, a Hospital or two, the Streets, Fire engines and apparatus, some office furniture and fixtures, a few tools and some other things.

Soci. "Why don't they own everything?"

Mayor. "Own everything? Oh that would *never* do, that would be Socialism. I am in favor of the public ownership of some things, I wanted them to own and operate the Geary street car line, but they voted it down twice."

Soci. "Who?"

Mayor. "The people themselves."

Soci. "Was there not a majority for it?"

Mayor. "Yes, but the law requires a two-thirds majority."

Soci. "I thought a majority ruled here?"

Mayor. "It does in almost everything else."

Soci. "Why don't it in this?"

Mayor. "Well, its this way. You see the corporations make the laws and they fixed them so that whatever *they* want they can get with a majority vote, but what the people want they must have a two-thirds majority to get, and it's hard to get it."

Soci. "But I don't see why, more than two-thirds of the voters must be outside of the corporations?"

Mayor. "That is true, but you see most every company and corporation has a big graft, and all who own stock in any of them get big interest on their money and don't want to let go; besides, if the people got one thing they are afraid they would want more and finally vote to take all; so, they all club together and are able to influence (by a back-handed action) enough of those they are constantly skinning—but whom they succeed in convincing they are not—to vote with them, and in this way they keep us from getting a two-thirds majority."

(Plute. By Jove, I'm learning something.)

Soci. to himself. "You say the lights are furnished by a private corporation under a contract, is much public work done by contract?"

Mayor. "Oh, yes, about all of it."

Soci. "But is not the object of contractors in taking contracts to make money?"

Mayor. "Why, certainly, it is to make a profit."

Soci. "And when they contract to do work for the public is it the same, do they expect to make a profit off the people?"

Mayor. "Of course, and I guess they always do. Some of them seem to get rich at it."

Soci. "Then what the contractors get ahead the people get behind?"

Mayor. "Yes, that is about it, what one makes the other losses."

Soci. "Are the people so rich that they want to help the contractors to get rich too?"

Mayor. "Oh, no! the people have to tax themselves, that is, their political representatives tax them, to raise money to pay the contractors and it is pretty hard on some of them, in fact on a great many of them, to scrape enough together to pay their part of the tax."

Soci. "Then why don't they do their own work and not tax themselves to give the contractors a profit to make them rich?"

Mayor. "That would be considered as interfering with and discouraging legitimate private enterprise and would not be tolerated."

Soci. "Is a private enterprise that makes a profit out of the public considered legitimate and to be tolerated in preference to public enterprise that would leave such profit in the pockets of the people?"

Mayor. "Well, yes. You see bids are called for and there is supposed to be competition and the contract is let to the lowest responsible bidder, on the theory that private enterprise, under competition, will do the work cheaper than the public could do it."

Soci. "Do the people want cheap work or good work?"

Mayor. "Good work of course."

Soci. "Do they expect to get it for less than it is worth to do it?"

Mayor. "Oh no, they expect to pay well for it."

Soci. "Are the people glad if men compete and one takes a contract too cheap and loses money?"

Mayor. "Well, I guess they don't care very much and probably some are glad."

Soci. "I see. It is considered right, then, for private enterprise to wrong the public and equally right for the public to wrong private enterprise, as the case may be, if either can do it."

Mayor. "If we judge by the practice, yes; if we judge by our theory of morality, no."

Soci. "Do not bidders sometimes form collusions to get an unfair price?"

Mayor. "I suppose they do."

Soci. "Do they ever bribe public officers to get contracts?"

Mayor. "Not here, but I have heard of such things."

Soci. "If they compete and take a contract cheap do they ever try to make it up by slighting the work or service or paying their hired men less wages or making them work more hours?"

Mayor. "Well, yes; slighting work is always looked for any way, and as to paying their men less wages and working them over time, it is customary to rely principally upon making up all they would otherwise lose off the men and as much more as they can. They make the men stand the loss."

Soci. "And their only object in doing so is to save themselves and increase their own profits?"

Mayor. "There is no doubt about that."

Soci. "Do the people want the hired men who do their work under-paid and over-worked?"

Mayor. "No. I don't think they do, but how can they help it? they do not hire them."

Soci. "Couldn't they help it if they did hire them and paid them themselves?"

Mayor. "Yes, I suppose they could."

Soci. "If the public did things themselves and let no contracts, it looks as if the profits that go to help enrich private individuals could go to increase the wages of the men?"

Mayor. "It looks that way to me, too."

Soci. "And would it not be better for the whole city if these profits went to the hired men in increased wages instead of to a few contractors?"

Mayor. "Certainly it would."

Soci. "Why don't they do it?"

Mayor. "Well, you see, under our industrial system, everybody is supposed to look out for himself, and everybody is so busy doing it that nobody has time to think of the welfare of any one else. He is afraid if he stops a little while to do so some other fellow will get ahead of him so he don't stop until he's ready to be buried, that is, about to die."

Soci. "But all can't get ahead?"

Mayor. "No, very few get way ahead, what we would call to the top; the great mass is away behind; at the bottom in fact, and you might say, haven't started yet; then all along between the bottom and top are scattered many others struggling with all their might to surpass each other and reach the top."

Soci. "What do you call those at the bottom?"

Mayor. "The laboring class."

Soci. "And those at the top?"

Mayor. "The capitalist class."

Soci. "And those between?"

Mayor. "They're nothing. Neither one thing nor the other but we speak of them as 'middlemen' because they stand between the other two and make a profit by handling what they need or have to sell. They hope some day to be capitalists, and ape capitalists all they can, but its all a dream; they are as completely in the power of capitalists as laborers and are steadily being forced into the labor ranks as capitalists get stronger and freeze them out."

Soci. "How freeze them out?"

Mayor. "Why, economize by dispensing with their services and keeping for themselves the profits they permit them to maks as middlemen."

Soci. "What does the capitalist class do?"

Mayor. "Nothing. They own everything the earth produces or that is produced on it, use the laboring class to produce it and the middle men to distribute it. The laboring class is necessary to them but middle men are not, and some predict that gradually, as capitalists put in operation the economies that are constantly being invented, they will become extinct."

Soci. "Do you mean they will die?"

Mayor. "Oh, no! here and there one will climb into the capitalist class and all the rest will drop back with the laboring class from which they originally sprang, though few will own it."

Soci. "Then your people are practically divided into two classes, capitalists who have every thing and laborers who have nothing?"

Mayor. "Yes, that is about right."

(Plute to himself. I believe I'll stay here.)

Soci. "And when you let a public contract you force all the people to pay for the work and each must contribute a little besides to help build up a capitalist class?"

Mayor. "Well, yes, if that does it."

Soci. "You say the capitalist class owns everything, what show has the laboring class to get work when they want it?"

Mayor. "The only show they have is when the capitalists want them, unless they work for themselves."

Soci. "But does the capitalist want the laborer unless he can make a profit on his labor?"

Mayor. "Of course not."

Soci. "How can he work for himself if capitalists own everything?"

Mayor. "Lease of them."

Soci. "But in doing this don't he work for them?"

Mayor. "To the extent of paying rent, that's all."

Soci. "Don't he have to buy of the capitalist many things besides what he can raise or produce himself and pay him a big profit on them?

Mayor. "Well, yes, I guess he does."

Soci. "It looks to me as if, under your commercial and industrial system the laboring class have to help keep up the capitalist class any way you fix it, and whether they want to or not."

Mayor. "I don't see it that way."

Soci. "Well, if they work for wages the capitalists make a profit on their labor. That's one?"

Mayor. "Yes."

Soci. "If they lease and work for themselves as you call it, they must pay them rent. That's two?"

Mayor. "Yes."

Soci. "And a profit to them on all they have to buy, although it may have been made or produced by other laborers. That's three?"

Mayor. "Yes, that is so too if you look at it in that way."

Soci. "If you think of any other way to look at it I would be glad to hear it."

Mayor. "I do not know as there is any other."

Soci. "Tell me how the wages of hired men are fixed."

Mayor. "By themselves by contracts and the law of supply and demand."

Soci. "Does any law protect hired men against low wages if the supply of men wanting work is greater than the demand for them?"

Mayor. "No, the men who will work the cheapest get the jobs."

Soci. "Is that true regardless of how much employers can afford to pay?"

Mayor. "Yes, what they can afford to pay has nothing to do with it."

Soci. "Is that right?"

Mayor. "For myself, I would say no, but it is the rule and everybody practices it with now and then an exception, although all, if you were to ask them, would doubtless say 'No,' too."

Soci. "That's strange. What becomes of the man that didn't get the job?"

The Mayor. "He tramps and hunts for another. Sometimes if he don't find one, he becomes a professional tramp."

Soci. "Are there many men out of work?"

Mayor. "Yes, sometimes a great many."

Soci. "Don't these men compete with each other for jobs?"

Mayor. "Oh, yes, all the time."

Soci. "And they help to keep each other's wages down, don't they?"

Mayor. "Of course."

Soci. "What prevents the laboring class from getting poorer and poorer and the capitalist class from getting richer and richer?"

Mayor. "Nothing but Labor Unions."

Soci. "How do they do it?"

Mayor. "They don't do it, only partially. They try to get the laboring class to agree among themselves to refuse to work unless they get certain wages."

Soci. "Are they successful?"

Mayor. "Partly. They would be perfectly if they could get all hired men to go into unions, and they could hold out, but they can't."

Soci. "Why not?"

Mayor. "Well, a great many men are satisfied to be just flunkeys for the rich. Others are too mean and ornery to want to better their condition, others are so densely ignorant and superstitious they think God meant them to be what they are and would curse them eternally if they made an attempt to be anything else, while others are simply sneaks who hope to get the benefit of Unions without helping to bear any of their burdens.

But if all belonged to unions and should strike at once, they could not hold out because they have nothing to depend upon to live but their wages. However, if you want to find the *Men* among them you will find them in the Unions demanding, enforcing and defending their rights, not accepting them as charities."

Soci. "Do the Unions deny the right of a man to sell his labor in the open market for any price he pleases?"

Mayor. "Oh, no, they never have denied that right; they regard that as a fundamental personal right."

Soci. "What do the capitalists think about it?"

Mayor. "They think just as the Unions do. The Unions and capitalists don't disagree on that point. The capitalists would accuse anyone of wishing to destroy the hired man's freedom, that denied his right to hunt and take a job at any

price he is willing to work for, and the Unions would do the same thing."

Soci. "How, then, do the capitalists and Unions differ?"

Mayor. "Why, the Unions, while admitting the right, try to get hired men to pledge themselves that they will not exercise it, that's all, and the capitalists try to persuade them that they should exercise it by all means and not join Unions."

Soci. "How do capitalists try to persuade them?"

Mayor. "Principally by laying siege to their stomachs, that is, they lock them out and try to starve them so they are glad to work at any price. Another way they have of persuading them is to blacklist them so other capitalists won't hire them, and another is, to threaten those who do not belong to a Union with the loss of their jobs if they join one. They sometimes make men sign a written agreement before they will hire them at all, that they will not join a Union."

Soci. "Do the middlemen compete with each other?"

Mayor. "They do for customers, but not much in prices."

Soci. "Why not in prices?"

Mayor. "As I told you, they are in the power of the capitalists too; and the capitalists, who control everything, won't let them. Capitalists regulate the prices middlemen must sell at and if any disregard their instructions and sell for less than the prices fixed, they won't supply them with any more goods and so force them to shut up their stores.

Soci. It looks to a stranger as if Hired Men, Union and non-Union, and Middlemen must have a rocky time of it; and yet, there seems to be an abundance for everybody but only a few have access to it; and what seems very strange about it is, those who have access to and full control of everything actually produce nothing."

(Plute to himself "H-m to my mind that's the beauty of it. As the Scriptures say—on Mars—reap where you sowed not, that's the test of business qualifications every time.")

Mayor. "Gentlemen, I have to apologize and beg your pardon for keeping you standing out here when I should have conducted you to my office long ago, but really I got so absorbed in your interesting questions that I forgot all about it. Come let us go in now."

Soci. "Oh, never mind Mr. Mayor, do not blame yourself in the least, this has been no inconvenience to me whatever, nor do I think it has to Plute. I am really glad we stopped outside and talked because it has been free and full, and inside we might have been interrupted. Now, I have one more matter I wish to ask you about.

Will you kindly look at this (hands him a copy of the Declaration of Rights of California which he had taken pains to make, leaving off the Certificate of the Secretary of State, the number of the Section and Article of the Constitution so there was nothing to identify it except its language) and tell me what it is?" (The Mayor reads it.)

"Why thats— ah, that's I—ah, I believe that's—ah, let me see now—where did you get it?"

Soci. "It was handed to me on the Mars and is what brought Plute and I down here.

I was led to think it was a true copy of the Declaration of Rights found in the Constitution of your State and"—

Mayor. "Yes, yes, I see. Now I remember, that is what it is. I knew I had seen it before but could not for the life of me think just where, when you first asked about it." (The Socialist looked chagrined towards Plute while Plute was saying to himself "Of course, no capitalist would be expected to remember where that was, he has no use for it except to forget it.")

Soci. "I was about to say, Mr. Mayor, that the only information I had of conditions on the Earth I got from reading and interpreting that document. I knew before I left Mars it was a part of the fundamental law of your State, and I concluded the people of California, under such a Declaration of Rights, *must* be enjoying to the utmost, Life, Liberty and Happiness, in fact were perfectly secure in those things; and, in my speeches on the Mars I so informed my suffering, Plute-ridden people, and advised them never to rest until they had obtained for themselves a similar Declaration of Rights; that they could never expect Justice until they had it. Plute, here, was present at one of my meetings and heard me, and challenged the truth of my representations as to the industrial and social conditions here, based on this Declaration. He admitted the Declaration guaranteed all I claimed for it on behalf of your people, but said I had no evidence that they enjoyed those rights or any of them, even though the Declaration did guarantee them, and from his intimate experience with men who composed political conventions and made platforms on the Mars, he did not hesitate to say it was his firm belief that as a matter of fact they did not enjoy them or any of them. He accused me of being an enthusiast and disturber, but I was so sure I was right and he wrong, that to settle the question we decided to come down here as a committee and investigate. We have been here but a short time, but it has been long enough to convince me that Plute was right and I was wrong.

"Your people have, in their Constitution, by this Declaration (See. 1, Art. 1,) laid the foundation for the enjoyment by all of them of the highest industrial and social conditions, but they make no use of it whatever. They seem to have been satisfied with the mere Declaration and stopped at that. The result is, they have the Declaration but that is all. I had pictured the average intelligence, patriotism and courage of your laboring class to be so far above the average of ours that, I said to ours, if yours could know of the stupid practice ours have of dividing their votes between the candidates of the Plutes at each election instead of voting solidly together

for men of their own class, yours would laugh at ours; but now, honest Indian, and you will please pardon the emphasis I use in saying it, since I know the truth about the stupidity of yours, I believe ours might justly claim the right to laugh at yours instead; and what is more, your leading citizens know so little about this Declaration of Rights that, they do not know where to find it. Many of them do not even know it when they see it; and here, I had fancied your humblest citizen, yes, your children, would know all about it. I thought the Mars, with no Declaration of Rights at all, was pretty badly off, but, I swear to God it is better off with none, than the State of California, United States of America, Western Hemisphere, Planet Earth is, with one, and I am greatly disappointed, in fact, surprised and disgusted to find that this Declaration and the Freedom your people boast of under and by virtue of it, is all hot air."

"You say *all* men have an *inalienable* right to *enjoy Life*, and then you deprive them of the means of enjoying it by permitting a *few* to acquire and keep more of those means than they need to enjoy theirs.

"You say *all* men have an *inalienable* right to *defend Life*, and then deprive them of access to the only things they have to depend on to protect it, nature's resources.

"You say all men have an *inalienable* right to *Liberty*, and then deprive them of their *Liberty to toil,* to feed themselves unless others say they may.

"You say *all men* have an *inalienable* right to pursue and obtain *Safety* and *Happiness*, and then fence up every road by which—were it open—it would be possible to travel in the pursuit of either. In fact you have fixed things so as to make them think that, by pursuing with greater zeal and practicing more economy, it would be *possible* to overtake and possess safety and happiness and it is not true. Their added zeal and self denial only contributes that much more to the unearned Safety and Happiness of others. For them, Safety and Happiness are as far in the distance in old age as in youth.

Finally, you say, which is the greatest fake of all, that these rights are all birthrights and inalienable and then straightway permit every man to sell or mortgage them for a mess of pottage to some sharp whom you protect, and ever after remain a beggar. You permit others and their children to defeat any man and his children absolutely, of all their inalienable inheritances and leave him and them stranded in the world without relief or the hope of it, forever.

And now Mr. Mayor, as it is my intention to return to the Mars as soon as possible and make report, I trust you will allow me to assure you that I place myself under eternal obligations to you for permitting me most respectfully to decline hearing or seeing any more. I cannot however, take my leave without expressing to you my profoundest gratitude for the

gentlemanly courtesies you have so kindly shown us and for the generous hospitalities extended by your citizens."

(To Plute.) "When will it suit your convenience to return?"

Plute. "My dear Socialist, *I* have decided that I will not go back at present." (Aside) "Say Soci, the earth has more suckers than the Mars and they are easier caught. I don't wish to flatter you, but with the energy you fellows on the Mars are exerting I believe you will wake the laboring class up there long before they do here to vote together, capture the machinery of government, run it, and destroy the main thing (the hired man) we have relied on, from time immemorial, to make us rich, and so I am going to stay. You remember the old saying, 'Make hay while the sun shines,' well, in my judgment here's the place to make it; and say, damn it, since you are going, let up; don't talk any more to his Honor: you might get him to thinking. They are all fine looking people down here, but say, they're not near as smart as they look."

(Curtain.)

WHAT IS MEANT BY RIGHT TO ENJOY AND DEFEND LIFE AND OBTAIN SAFETY AND HAPPINESS, IN SEC. 1, ART. I, OF THE CONSTITUTION OF CALIFORNIA.

When the Constitution says all men have an "*inalienable right to enjoy and defend life and obtain safety and happiness,*" what does it mean?

Does it mean by "right to *enjoy* life," exemption *only* from *physical* assaults?

Does it mean by "right to *defend* life," a man's right to defend himself or have the state do it, against *physical violence only?*

Does it mean by "right to *pursue*" safety and happiness, the right to run a race for them with everybody else, and the right of those in the lead needlessly to place obstacles in the way of those behind and prevent them if possible from overtaking either?

Does it mean by "*safety* and *happiness*" no more than can be obtained by hiding, running away from or otherwise avoiding bodily harm?

Would such a *limited* "right to enjoy and defend life" or "obtain safety and happiness" be a complete fulfillment of the purpose of the Constitution?

Does the Constitution have in view no other or higher purpose than just the life, safety and happiness of the *individual* for his *own* sake?

If we look about and notice how our courts and officers chiefly spend their time, we might think society (which is responsible for what they do not do) takes that narrow view of it: that is it takes the view (1) that the sole purpose of the Constitution is the protection of the individual from physical violence, (2) that the protection given him is for his own sake alone and no other or higher purpose is involved.

It is not true that the purpose of the Constitution is to limit the right of the individual to protection against physical violence only. Its purpose is to protect him against everything that assails life or the enjoyment of it and everything that jeopardizes his safety or deprives him of happiness that would be rightfully his: otherwise, his Constitutional rights would amount to nothing.

Nor is its purpose in providing such complete protection to the individual, for his sake alone: a further and higher right is involved, namely: the right of *society* to protection; and it is protected only in proportion as the individual is protected. If he is not protected, society is not. Therefore the primary object and purpose of the Constitution in specifying the rights of all men was, the preservation of Society; and as protection

of the man is the protection of Society, and he must depend upon Society for as much of it as he gets, the duty of Society to itself, in giving him complete and perfect protection, is manifest.

Has it ever done it or does it do it now? No, he has had only partial protection and has no more now than he had before the Constitution, in fact he has less. The same old methods that were employed to skin him then are still made use of to deprive him of Life, Safety and Happiness with this difference, it is done now more systematically, scientifically and thoroughly and on a larger scale, and his chances to escape are far less.

When the state protects the individual from personal violence and his property from the common thief and other similar criminals, it protects him against only the least of those who prey upon him. Against those who constantly prey upon him, impoverish him, degrade him and make him miserable, it furnishes no protection whatever.

Every discrete person can protect himself fairly well against ordinary criminals without any help from the state or its officers. It is seldom that people who behave themselves and exercise ordinary caution and prudence, have occasion to ask the state to protect them from violence of any kind; but the offenders and their offenses against whom and of which I complain, no law reaches, no Court condemns and no citizen can avoid.

They are not mentioned in the Penal Code, yet a common thief is a good Samaritan compared with them.

Who are those offenders and what are their offenses?

We do not have to look across the sea to find them, nor with suspicion upon any foreign power. They are right here at home. Every man that works for less than reasonable wages may look at his employer and see one of them.

Every employer does not know it, or even have a suspicion that by paying his hired man less than reasonable wages he is depriving him of his Constitutional right of enjoying and defending his Life and obaining Safety and Happiness, but he is, just the same; nor does it affect the particular person alone that is underpaid, it affects all who work for wages and Society itself.

Some people will contend that the employer who pays less than reasonable wages does not deprive his hired man of enjoying and defending life or obtaining safety and happiness, while others will say it is a question. But it is not a question, it is a fact; one that cannot be controverted, and the employer guilty of it should be, to that extent, classed as an enemy of society—perhaps a criminal, for he is doing a criminal thing whether he or society realizes it or not.

Why should the state punish a man who robs another on the public highway any quicker than one who robs another in a factory or on a farm of fair wages, because hungry and obliged to work for any wages offered? Both men are mem-

bers of Society and both are wronged. Can a member of Society be wronged without wronging Society? If Society is wronged has it no right to object? It has a right to protect itself and when it is protecting one of its members it is only protecting itself.

The question should not be *how* a man is wronged but *is* he wronged.

But what kind of a show has a man to enjoy and defend life and obtain safety and happiness if society refuses to protect him against men who will not pay him reasonable wages for his work?

It is self-evident that all men have a right to live unless they do something to forfeit life, and whether they can get work or not they must eat, wear clothes, and be housed. It is also self-evident that they will marry and raise families and must have the same necessities for them.

It is self-evident that none of these necessities will come unless they work to provide them.

Now, if they are willing to work but cannot get it unless a few men who own all the land, tools mills and machinery say they may, and these men have the power to fix their wages and the terms and conditions of labor, and such wages, terms and conditions are unreasonable and oppressive, and the state stands behind those few men and says: "That's right, that's your privilege, the law sustains you and the Courts, Sheriffs and Soldiers are at your service to enforce the terms on which you allowed them to work," and they do enforce them, tell me, what are the idle, propertyless men with starving families to do?

How are they to enjoy and defend life or obtain safety and happiness? They must do one of five things: Work for what the few are willing to pay, starve, steal, beg or vote to wipe out the system that permits a few to have more than they need and deprives all the rest of having anything.

It is not because the earth does not produce enough, nor is it because men won't work that life, safety and happiness is denied them; it is because they can't get the work to do at living wages.

The commonest luxuries are beyond the reach of millions, none of whom have any hope of them (except a few, silly enough to believe their time will come yet to get rich, but their only idea of right is to shift their chains on to others) at the same time great stores, factories and warehouses are filled with the beautiful things their weary fingers have fashioned.

Instead of making it a crime to produce such conditions it should be made impossible.

In California, the Constitution has laid the foundation for making them impossible; and if the legislature and courts will follow it, they would save themselves the impossible task of trying to reconcile the many, and constantly increasing, perplexing questions that necessarily arise from their per-

sistent attempts to substitute a false and revolutionary system of rights, for the true and peaceful one it contemplates.

You don't understand? You don't see how the Constitution is disregarded?

Well, read Section 1, Article I, again. Don't it say *all* men have a right to enjoy life; that *all* men have a right to posses property and obtain safety and happiness? And don't it say those rights are *inalienable?*

Now, look about you, do all men enjoy life? Do all possess property? Are all safe? Are all happy?

Are these conditions possible for all so long as one man or a few men or any number of men less than all men are permitted to own and possess the whole earth?

If a few have all that is indispensible to the life, safety and happiness of all, and keep those who have nothing, from getting something, except a little at uncertain times and in uncertain quantities as suits them, and the courts uphold that sort of arrangement, how is it possible for those who have nothing and no way to get it, to enjoy life or obtain safety or happiness?

The Constitution says Life, Safety and Happiness are inalienable rights of all men, but as the rich and the courts (and even those who are wronged) construe it, nearly all men are deprived of them.

The trouble is not in the Constitution, it lies in those who undertake to make the laws in conformity with it and those who are called upon to enforce them; one is the Legislature and the other the Courts.

These two branches of government have undertaken to set up and maintain a false, revolutionary and impossible system of rights, namely: a system of unlimited private ownership of the means of human existence, in place of those the Constitution has provided for, and the result has been, and will be as long as it is tried, to defeat the purpose of the Constitution by depriving men of the rights it says are indefeasibly theirs.

The attempt to set up and maintain this false system has played havoc with everybody's rights; and when we see it has done that, what must we think of its effect on that humble class the least able to look out for themselves, in the fearful and mad struggle to privately own—the common wage earners?

Everybody knows the system is destructive yet nobody seems willing to abandon it and go back to the Constitution. I do not know why unless it is because everybody is so used to skinning everybody else and is so certain he can do it more than everybody else can skin him that he don't want to change. If that is it, such boss skinners as Rockefeller will eventually take the conceit out of most of them by skinning them "to a finish," Judges, Legislators and all, and then they will be ready and go back to the Constitution with a whoop!

Men underpay their hired men from no other motive than to get rich, and the only reason why society tolerates them is, because every member of it is willing to get rich by the same process if he can.

Section 1, Article 1, of the Constitution certainly does not mean so much enjoyment of life, safety and happiness as men can get if protected from those only who commit the crimes mentioned in the Penal Code, leaving them wholly unprotected from, and at the mercy of, those who control the cost of living and arbitrarily fix their wages. That class of men are a greater menace to the Life, Liberty, Safety and Happiness of the people than common criminals.

Nor was that section put in the Constitution for mere buncombe, for show, something to be pointed to and bragged about on the Fourth of July, something to be imagined but never enjoyed.

It was not put there to charm the Soul of the Sentimentalist while his body was being exploited by relentless greed; it was put there to secure to all men the enjoyment of life by securing to them the means of defending it and obtaining Safety and Happiness, and their only possible means was, an indefeasible interest in their necessary share of the earth. That is what it was put there for, but so far the legislature and courts have helped to bunco him out of it.

What does a man's "*right* to enjoy and defend life and liberty and obtain safety and happiness" amount to if it is taken away from him? How does it benefit one to have the *right* to a thing if he can't have the thing itself?

No man who works for wages can ever have the benefit of that section of the Constitution and enjoy or defend his life or liberty or obtain safety or happiness if he is obliged to give his labor for less than reasonable wages, and if the legislature and courts do not protect him, what hope has he?

If wages are always to be so much less than reasonable, that is, so far below the necessary expense of living decently that a man cannot properly feed, dress and house himself, wife and children, *should we expect him to be contented and* STILL BE A MAN?

If he *is* contented, has he reached that standard of manhood we wish this country to establish for its men? Is he the type of man we wish this country to produce?

VESTED RIGHTS AND INALIENABLE RIGHTS.

Law books and courts have devoted much time if not much wisdom, in expounding the doctrine of vested rights, when the only vested rights any one has (in California) are those declared in Section 1, Article 1, of the Constitution, namely: "Of enjoying and defending Life and Liberty; acquiring, possessing and protecting property and pursuing and obtaining safety and happiness.

These rights are not only vested, they are *inalienably* vested —each one of them and all of them, yet none of them receive much attention from the books or courts except those referring to *property* rights and these are misunderstood and misinterpreted.

The Constitution gives every man a *vested right* to enjoy and defend life and liberty, to obtain safety and happiness and to possess property, but how much of the time and attention of courts is devoted to protecting his vested right to enjoy or defend life or obtain safety or happiness? Not any unless such enjoyment, safety or happiness is in danger from physical violence, although they have plenty of time to devote to what they call his vested right to property.

If a man has a vested right to property in California, he must find authority for it in the Constitution, the same authority that gives him a vested right to enjoy and defend Life and Liberty and to obtain Safety and Happiness, and why, when the Constitution gives him a vested right to defend Life and Liberty and obtain Safety and Happiness and these are of more consequence to him than his vested right to the possession of property, do the courts lay so much stress on the latter right and so little on the former and more consequential right?

Law writers have written volumes about vested property rights, but not one about the vested right every man has to enjoy and defend Life and Liberty and pursue and obtain Safety and Happiness.

The trouble is, courts and law writers have from time immemorial given men's property rights a fictitious importance. They have made it out that one man or a few men have a right to own and possess everything instead of the right to *merely possess what they need.*

What is meant when the Constitution says these rights are *inalienable?*

Was the word inalienable put into the Constitution to mean something or nothing?

One would think it was put there to mean nothing since most people now enjoy none of the rights except life—if indeed it can be truly said they enjoy that, and why is it?

What is the matter that they do not?

Did they never have them or have they alienated them? How could they alienate them if they are inalienable?

Has Nature gone back on them and refused longer to yield her abundance?

No! No! Nature is as kind as ever and responds generously and lovingly to every industrious touch.

Man, himself, is the robber and despoiler of his brother's rights and just reward of toil, and the Constitution, which was intended for the protection of all, is perverted to help him do it.

The perversion consists in telling men they may alienate these rights and they have attempted to do it. I say, "attempted" because, as a matter of law, it cannot be done, though the *attempt* has produced practically the same effect as if it could, since so few, if any, actually enjoy them. But the loss of enjoyment is only temporary, for, when they awake, which they are sure to do sometime, they will discover that the word *inalienable* in the fundamental law, means something; that their attempt was futile because alienation is impossible, and then they will take steps to reclaim and recover their own and keep it.

Most people may not at the present time agree with me, although I have no fear but they will eventually, when I say the word "inalienable" was put in the Constitution expressly to prevent any man from depriving himself, and to prevent others, by any means, process or proceeding, or in any manner or on any pretext whatever from doing it, of his right to pursue and obtain safety and happiness and enjoy and defend life and liberty and acquire, possess and protect sufficient property to enable him to do so.

By the way, let me ask your opinion. What was the object of the clause about "acquiring, possessing and protecting property?"

Was it to put property above life and happiness, or, to help secure life and happiness?

If it was to help secure life and happiness, was it for all?

If for all, why do the courts construe it so a few can get all the property?

If the possession of a *great deal* of property by *some* is necessary to help secure *their* lives and happiness, is not the possession of *some* property by *all* necessary to help *them* secure *their* lives and happiness; or are the property possessions of some more sacred than the lives and happiness of all?

In view of property conditions as they actually exist, it would seem that most people might properly stop and enquire "where they are at."

Nature, itself, which favors life until time, in due course, brings on decay, suggests this intrepretation because it puts the Constitution in harmony with natural law, which it must be presumed was intended.

I would also say that, when the Constitution says *all* men,

it does not mean only a *few* men have these inalienable rights, also that the *manner* of depriving men of them is not material, but the *fact* of depriving them is.

Now, as the enjoyment of these rights must depend upon properly directed efforts to obtain it, if men by honest labor, make the proper effort and others deprive them of just wages for that labor, the result is, necessarily, to deprive them of that enjoyment to their detriment, and since whatever works a detriment to the individual necessarily works a detriment to society, it follows that the thing detrimental to the individual is not authorized by the Constitution because the object of the Constitution is the preservation of society. Therefore, in the matter of wages, we are bound to conclude that the withholding of just wages, is clearly prohibited, no matter whether men seeking employment are plentiful or scarce.

The abundance or scarcity of men has nothing whatever to do with the principle involved, nor has the so-called law of supply and demand.

The real principle involved is, the right of society to its own preservation, and, as that is the object of the Constitution, it cannot be construed to sanction any conduct that would defeat it.

Wages, equivalent to a decent living, are necessary to enable every wage earner to enjoy these rights, and unless he enjoys them, he cannot develop the degree of manhood his natural endowments had authorized, and which the Constitution meant every man should have the opportunity of developing when it made his right to enjoy and defend life and liberty, acquire, possess and protect property and obtain safety and happiness, INALIENABLE.

But when I say the Constitution clearly prohibits the payment of less than just wages, it must be understood that the ability of the employer to pay, is proper to be considered, because he is also a part of society and the welfare of society as much demands his protection as it does the protection of his employes.

THE RIGHTS OF *SOCIETY* AND OF INDIVIDUALS.

EQUAL RIGHTS.

No person is outside of Society, therefore, no person is exempt from obedience to such restraints as Society, for its own welfare, sees fit to put upon him. This rule undelies and is necessary to the welfare of Society; we might say, is the law of its existence.

Each individual must yield and surrender up for the good of all such of his rights as will give to all equal rights.

Equal rights to all and a *knowledge by all* that all actually enjoy equal rights, are the only conditions that can ever be relied on to stamp out discontent among good people, in any government.

When those conditions prevail, only those people who are dominated by selfishness, and want special privileges, will be discontented.

When I use the words "equal rights," I do not think of them as meaning what men in every day affairs say they mean; they say they mean the equal right of one man with every other man to hunt a job and take it or refuse it as he sees fit at any price he sees fit, without any interference from anybody; they think of them as meaning the equal right of one man with every other man to set up in any kind of business he sees fit and compete for patronage; and, in general, they think of them as allowing every man an equal right and opportunity with every other man to try to exclusively own, possess and control as much as possible of all there is on the earth, in the earth or above it.

These they call "equal rights," because, they say, every man is on an equality with every other to try for the same job, the same patronage, the same prosperity (?) and the same ownership, possession and control; and it don't matter who wins or goes to the wall, they all have an equal right to get or try to get; all enter the race relying on their confidence in themselves to succeed and those who fail only meet the fate they had planned for others. It is rough, they say, but is equal rights; that is, you and I have an equal right to struggle with each other to get the most, even more than we need, and leave the other with nothing. That is equal rights. I have a right to get control of everything if I can and make you work for me and you have the same right to get control and make me work for you. That is equal rights. If I can acquire the earth and lease enough of it to you to let you make a living for us both, that is my right and privilege, and as you have the right and privilege of acquiring it and leasing enough to me to let me make a living for us both, that is equal rights. And so, equal rights have come to mean no more than

simply the right of the weak to live, if they are able to compete with the strong, and the right of the honest to live, if they can do so in competition with the dishonest.

But what kind of equal rights are these?

It is claimed—particularly by such organizations as the "Citizens' Alliance," "Manufacturers' Association" and "Civic Federation," who have taken pains to emphasize it,—that they are Constitutional rights, but, is it so? If they are, the Constitution should specify them, but it does not.

The Declaration of Independence and Constitution of California declare that all men have an inalienable right to Life, Liberty and the pursuit of Happiness. These are *equal* rights, Constitutional rights and substantial rights; but, do the competitive so-called rights championed by those organizations promote and secure these substantial rights, or, do they undermine and destroy them?

They amount to this and nothing more, namely: an equal right in all men by commercial methods to destroy each other, and everybody knows it is being done. All almshouses, asylums and prisons are nothing but receiving homes for the moral or physical wrecks of men and women these un-constitutional and mis-named rights those organizations stand for, leave strewn along their commercial trail.

When they are denied and wiped out, these evidences of wrongs done in the name of right, will disappear.

Nothing is or ever can be a right which militates against the Constitutional right of all men to enjoy Life, Liberty, Security and Happiness.

HAS SOCIETY A RIGHT TO WIPE THEM OUT?

Society has a right to do anything that is necessary to preserve itself, and whatever one of its members is doing that is against its welfare it has a right to interfere and put a stop to.

The welfare of all being superior to the welfare of any one, the all may justly restrain the one for the good of all; and the same is true of the right of all with reference to the conduct of any private association, company or corporation.

The preservation of society is the only reason or necessity for or object of any law; and as society is composed of individuals, it cannot preserve itself unless it preserves them, for without them it can have no existence.

Therefore, society can make no law nor tolerate any conduct that is destructive of the individual (unless it is to preserve itself) without at the same time doing or tolerating something that is destructive of itself.

As society is dependent for its existence upon its members, so its members are dependent for their existence upon society.

Now, if society knowingly permits some of its members to destroy others, having the power to stop them, is it not the same as if it was done by its command?

Does it do that? Let us see.

To preserve itself, it has prohibited the unlawful killing of another, and murder is the chief of this class of offenses.

Murder is done by using some kind of violence, as shooting, stabbing, poisoning, strangling, etc., and society is always on the lookout with its sheriffs, constables and policemen to prevent it and catch the murderer; but are there not other and less merciful ways of killing people than with knives, pistols or poisons or by strangling them, or with violence of any kind and that are as reprehensible as the average murder? It is constantly being done and the motive is the same, for money, and society knows it. It also knows who does it and how they do it. Yet it is not on the lookout with its officers to catch them or even to stop them.

It has the power to do so but refuses to interfere either for its own protection or the protection of its members; on the other hand it countenances and encourages them in it.

It knows that men are killing each other, and their wives and children, all the time, not by violence, but gradually—though deliberately—by overworking, underpaying and subjecting them to every manner of privation, extortion and oppression. That through indifference, negligence, and want of proper care and caution they are taking the lives of thousands annually. It knows, too, that this sacrifice of life is not due to any desire on the part of those guilty of causing it to

promote the public welfare, but solely to promote their own individual welfare.

Now, are these things not crimes, both against the indivual and society? If not, what are they? If they are, in what relation to them does society stand? Is it innocent?

They are committed in the name of commerce, but what, besides private gain, furnishes the motive? What, besides private gain, furnishes the motive to overwork, underpay, starve, extort and oppress hired men? What motive but private gain puts conscience to sleep and suggests the indifference, neglect and want of care and caution that kills thousands?

The necessities of commerce are made use of to excuse these crimes, but we know that neither the necessities of commerce nor any public necessity ever demands, nor can either ever excuse, any conduct that sacrifices human life to make money. And if public necessity cannot justify it, how can private gain do it?

Private gain is never superior to public necessity, although it is often made to appear so.

Private individuals and companies are permitted in the ways mentioned to wrong, rob and sacrifice millions of hired men in the pursuit of private gain, but is there any difference in principle between them and the man who, in the pursuit of private gain, robs or murders another on the highway?

How can society justify itself in excusing one and sending the other to jail or the gallows?

When our statesmen, courts, press and the labor unions uphold the right of a man to sell his labor in the open market for any price he pleases, they are not upholding any fundamental principle of right, they are simply helping to keep alive and perpetuate a bit of sentimentalism, a superstition, one that gave rise to all those wrongs and which still is daily sacrificing men, women and children to satisfy some one's greed; that impoverishes them, degrades them and gradually destroys them and therefore impoverishes, degrades and destroys society itself.

They are upholding the right of the individual to preserve himself at the expense of society and everywhere we see him seeking to do it. The result is, the individual and society are constantly at war with each other.

Surely no argument is necessary to convince anyone that this is all wrong, for any conduct on the part of the individual that has the effect to destroy society must have the effect to destroy him, and any policy of society that has the effect to destroy the individual must have the effect to destroy itself.

Harmony is life and happiness for both, inharmony is misery and death for both.

It cannot be doubted that there is, somewhere, an absolutely just limit to the rights of individuals and the rights of society in every possible relation they can be placed in to each

other; and to the exact extent that this is ever discovered and acted on, harmony and happiness among the people will be the certain result.

That just limit has been the subject of legislation, litigation, insurrection and war, ever since the beginning and is not settled yet.

Legislatures, Constitutional conventions, courts and armies are still occupied in trying to solve it. The Constitution of the United States and of most of the States has been amended from time to time to conform to the latest convictions of the people relative to *rights of which the individual may not be justly deprived in securing the welfare of society,* and the whole scope and range of the duties of legislatures and courts may be properly measured by that subject alone.

To declare such rights (for they have always existed) and enforce them is the only object or excuse for the creation or existence of legislatures or courts.

And is it such a difficult matter?

It would seem so, at least they pretend it is; and if we judge of it by the insurrections and wars that history tells us have been waged in behalf of human rights; by the parliaments, congresses and other legislative bodies—by whatever name—that have met and discussed them; by the courts, great and small, that have sat to determine them; by the law books that have been written splitting hairs about them; by the sermons preached and prayers offered to induce God to reveal them; by the jails and prisons built to hold the men who registered their protests against existing conditions and hardships by defying law and committing crimes and misdemeanors to get their share of them; and, finally, by the money spent in a fruitless search for them, leaving every man as insecure as ever in the enjoyment of his inalienable right to life, liberty and happiness, and with discontent still disturbing the peace of the world, we would naturally conclude it *must* be a difficult matter.

But, after all, is it?

Before the obstacle in the way of general happiness and peace can ever be removed, it is necessary, first, to agree on what it is, and, second, how to remove it.

As to the first—the obstacle—that is apparent.

It is nothing more or less than *the selfishness of man.*

All the wars, all the legislatures, all the courts, all the law books, all the sermons and prayers, all the prisons, all the crimes and all the money spent, have been necessary because of that one thing, *the selfishness of man.*

Isn't it perfectly astounding to think of it, to think that such a simple thing should have been the cause of so much fuss?

Yet it is true. It is the only thing that has ever stood in the door of freedom and denied to men, women and children

their equal right to enter and enjoy Life, Liberty, Security and Happiness or that does it now.

But how will selfishness ever be taken out of a man without killing him?

It is not necessary to express an opinion about that, because it is possible to let him live with all his selfishness and still secure to every human being every right that any other human being rightfully enjoys.

One principle covers the whole ground of the remedy, and all that is lacking to secure the rights is, for society to "take the bull by the horns" and say it will adopt it and enforce it, and then, *do* it.

No man, except he who is not ready to be denied the privilege of gratifying his selfishness, will dispute its correctness.

The principle is this:

Fix things so when one's selfishness wrongs another, it shall not benefit him, and he won't do it.

"But," you ask, "can that be done?"

In answering you, if you say, "it would be right," I would say:

Whatever is right is possible, and that alone should encourage all who want things right, to keep at it until it is done.

As to how it may be done, I will express myself later in this book. *See "The Motive of Selfishness," page 154.

HOW THE EXERCISE OF THIS ALLEGED RIGHT DID THE MISCHIEF.

WHERE PRIVATE FORTUNES CAME FROM.

I have already said: every dollar that is invested in all the railroads, street car lines, telegraph and telephone lines, ships and steamers, canals, big mills, factories, mines, buildings, tools and machinery on earth, came from profits on the hired man's labor; that is, they represent the total wages he earned and should have received, but did not get. It took a long time to accumulate from his wages the vast sums necessary to build and equip all these things as we see them today, yet, that is where the money came from that did it.

Those things represent the difference between what the hired man has been paid as wages and the value of what he has produced. The fortunes put into them began to accumulate with the first hired man. The next one increased them and they went on increasing in proportion as the number of hired men increased until the difference between the amount that has been paid to hundreds of millions of them in wages in the course of time, and the value of what they have produced, exactly equals the vast money capital which all those things now represent.

Now, before you go any further, I wish you to stop and see if you have got that fact through your head.

What fact?

The fact that every private fortune was built up out of profits on hired men's labor. That there is not a single private fortune, anywhere, that is not made up of wages hired men were beat out of one way and another.

You must not drift away from the point to defend men who started enterprises that furnished work for others and got rich themselves, by saying they are entitled to all they made; I am not talking about that just now, or I might question your conclusion and give you some arguments that would bother you to refute.

For the present I wish you to either admit or deny the particular fundamental fact that all private fortunes are composed of nothing else but profits on the labor of hired men; in other words, of the wages they earned but which were never paid over to them. If you take that for a starting point, it will be easier to see the mischief that has come from admitting the right of men to sell their labor in the open market for any price they pleased. If you deny it, then tell us where the fortunes came from.

Of course employers were always looking out to hire the cheapest men who could fill the places, and gradually, higher

priced men were discharged to go and hunt for other jobs and compete with other hired men to get them.

The savings in wages, made the average employer richer and richer, and the loss of them, made the average hired man poorer and poorer.

The employer used the wealth he had accumulated from the wages of his hired men to increase his business. If he was a manufacturer, he enlarged his plant and put in more and better machinery, (that is, improved machinery which took the places and caused the discharge of more men, who had to go out and compete with others) combined with some of its competitors, crowded out the rest, got a monopoly and made it impossible for any of his discharged hands or anybody else with small means, to engage in the same business. Thus, he grew richer still and kept it. He did not use it to pay better wages, but used some of it to force hired men who were selling their labor in the open market in competition with each other for any price they pleased, to accept his price because they could do no better. They had to have work and had to work for him and buy his goods at his price because he controlled the situation in all directions.

Others put the money they made from the wages of hired men into land until they owned it all. Some gobbled timber lands, others oil lands, others coal lands, others mineral lands, others grazing lands, water rights and farm lands; others railroads and so on until all the natural resources of the earth and all the methods of production and distribution got into their hands and beyond the reach of any man who works for wages.

Where did they get the money to do all this? They got it from the profits on hired men's labor. Hired men insisted on the right to sell their labor for any price they pleased and to compete with each other for work, and as a consequence, did not get all it was worth. Their employers got it and used it to gobble the earth; and now that they have it, and got it by the very wealth the hired man himself produced, he must go on working for wages and never own or control anything except what the capitalists and monopolists he has created, say he may. And more than that, he must work for the wages they choose to pay; and still more, he must give them all back again to them for the food he eats, the clothes he wears and the house they let him live in. In short, they just loan him what he gets for a few days or weeks and then demand and get it all back for what he consumes. He is allowed the pleasure of jingling it in his pocket and looking at it for a while and that is about all. He is not allowed to keep it.

For ages he has sold his labor for any price he pleased, and, by competing with his fellows, has cut wages down and down until he can scarcely exist.

By the same proceeding he has been the instrument that has concentrated all stored up wealth (which represents nothing but his wages he didn't get) in the hands of his employ-

ers; and they have fortified their possession of it with laws, courts, sheriffs and soldiers and now laugh at his helpless condition. Still, he says, when he upholds his right to sell his labor in the open market for any price he pleases, that he is doing right.

It don't matter how you look at it, that is, from what standpoint or direction, it simmers down finally to this fact, that everything there is outside of nature and what individuals have produced with their own hands was paid for or is being paid for by the hired man. No matter what it consists of, what it is, or who has it or claims it or by what means, process or proceeding he got it, it came out of the hired man; that is, he and he alone footed the bill or is footing it now every day he works.

God pity him! In his ignorance of principles that underlie his welfare, he has been doing the wrong thing and still insists on doing it. He laid the foundation long ago for his own undoing and refuses to rip it up. Will he ever wake up, I wonder, about face and use his ballot to free himself?

WHO UPHOLD THE WRONG.

The courts, press, our statemen and even the labor unions, so far as I know, uphold the wrong that a man has a right to sell his labor in the open market; that is, for any price he pleases.

They all, at the same time, uphold the doctrine that the interest of the individual is of less consequence than the interest of society, and society has a right at all times to say "halt" to the individual whenever, wherever or however his conduct injuriously affects its welfare.

It is easy to understand why they should uphold the right of society to say "halt" to the individual when his conduct is injurious to its welfare, because it is a fundamental rule that the rights of the individual are, in no instance, equal to the rights of all, on the contrary, the rights of all are, in every instance, superior to the rights of anyone.

It is not easy, however, to understand why they should continue to uphold the doctrine that a man has a right to sell his labor in the open market for any price he pleases, because the exercise of it has proven to be and is decidedly injurious to the welfare of society, and it cannot therefore be a right. If it is a right, it must be so because it underlies the welfare of society and could not be taken away without in some manner depriving society of something necessary to its welfare.

If it can be shown that the welfare of society would be promoted by taking the alleged right away, that must conclusively prove it to be a fundamental wrong.

If it involves any principle conducive to society's welfare, what is it? It does not and cannot. It is impossible, for the reason that the exercise of it always conduces to the welfare of the few at the expense of the many, and that can never be for society's welfare.

But do not the labor unions contend for the principle that no man has a right to sell his labor in the open market for any price he pleases? I was asked. No, they do not. They contend just as earnestly as the capitalists do that it is every man's right, and confine their energies to persuading men not to use it, and right there is where they make a serious fundamental mistake. Instead of admitting the right they should squarely and boldly deny it and fight their battles for fair wages from that standpoint.

By admitting and upholding the right they not only do what the capitalists want them to do, but they admit and uphold a fundamental wrong instead of right, and subject themselves justly to the accusations of inconsistency. Men would join the unions more readily but for the notion they have that in doing so they would be surrendering a right which the unions, themselves, concede belongs to them.

Their inconsistency in upholding the right while trying to get men to join them and pledge themselves to not use it, is confusing. It seems to them, or many of them, that the unions are interfering with and seeking to prohibit the exercise of one of the most important fundamental rights of the individual; and, so long as they feel that way about it, it is to be expected they will not only refuse to join a union but will "scab" every chance they get.

The country is full of stiff-necked good men of that kind who go a great deal on what they believe to be their rights. Men who would make valuable and reliable union men if convinced that this so-called right was not a right, and would fight just as hard for the unions as they now do against them.

As they now look at it they think, when they scab, they are doing right, because justified by principle: one, the unions admit, namely, the right of every man to sell his labor in the open market for any price he pleases.

My contention is that no man has that right, nor did he ever have it; and union and non-union men, on that proposition, are fighting each other about nothing.

At one time it was permissible for a man to sell his labor in the open market for any price he pleased but, it never was his right to do so. At that time competition between laboring men had not forced wages down to a point below the cost of living properly and there were therefore no labor unions. None appeared to be necessary to the welfare of labor: so, I say, the so-called right was permissible. People often permit things that are not right because they do not see or feel the harm they do, or, the harm is so slight they say it don't amount to anything. They may, in fact, say a thing is right that is wrong, because they do not see or feel the harm it does, and that is just what has happened in the case of this alleged right. People did not say it was wrong and permit it because the harm it was doing amounted to nothing; they thought it was right. They thought so because they did not feel or see the harm.

At the present time they feel it and feel it severely, still they do not see or realize the cause. If they did, I would have no excuse for writing this book. The object of the book is to make them see the cause as well as feel the harm, and when they do, they will stop upholding the alleged right, and do something solid in the way of bettering their condition as well as society.

When there was plenty of land, plenty of room and plenty of work, and a man sold his labor for any price he pleased, everybody naturally concluded it was his own business and none of theirs, because nobody besides himself appeared to be affected if he was not fairly paid. They reached that conclusion for no other reason than that they did not themselves feel or see the harm and could not realize the harm that must inevitably result to others from permitting him to do it.

The harm was there, but it had to grow bigger to be felt or seen, which would take time. It has at last grown so large

that everybody feels it. It looms up before us in the shape of great, private fortunes possessed by a few.

People see the fortunes but do not realize what a simple little cause gave rise to them. They do not know or even suspect that the seed from which they grew was the so-called right I am now combatting, or that every private fortune came from permitting men to sell their labor in the open market for any price they pleased; that when they did so they got less for their labor than they should have got and the portion they failed to get went to build these great fortunes; that the fortunes are nothing more or less than the aggregate of the little sums which millions of hired men have contributed during all these years from their wages, the wages they ought to have got but did not, simply because they sold their labor in competition with each other in the open market for any price they pleased, rather for what they could get without reference to its value, and which they were obliged to agree to accept though less than it was worth because they had to live.

Of course employers always took advantage of those conditions to enrich themselves and that is where the fortunes came from.

It is strange but it is true that, while people see the fortunes they cannot see that it was the exercise of this so-called right alone that made them possible. That if the right had been denied and the exercise of it effectually stopped, great private fortunes would have been impossible. They were and still are "stone blind" to this self-evident truth, and so, if they were to lose the supposed right now, they would think they had lost something of priceless value; one of their greatest fundamental rights, a sacred God-given right and were being swept into slavery. The truth is, however, that, if it was taken away, they would for the first time in the history of labor be standing in the open door that leads to *all* their rights, because no man would be allowed to make a profit on another man's labor; and, from that moment, private fortunes would cease to grow larger, and universal prosperity begin to correspondingly increase.

LABOR UNIONS STAND FOR A GREAT FUNDAMENTAL PRINCIPLE.

ONE THAT UNDERLIES THE WELFARE OF SOCIETY.

They are opposed by what is believed to be another great fundamental principle but which is no principle at all.

The object of labor unions is, to secure reasonable wages, hours and conditions for hired men, and reasonable wages, hours and conditions for hired men, necessarily concern the welfare of society.

Therefore, labor unions stand for the welfare of society.

The problem the unions have had to contend with has been, how to attain their object?

This was made difficult by the fact that the prevailing belief among all classes has been and still is that men have a right to sell their labor in the open market for any price they please.

Of course, if that right belonged to men, they naturally wanted to exercise it, and every employer naturally wanted them to do so, and as the courts upheld it, the unions have had a pretty hard time trying to convince the world that the principle they stand for should in any manner be allowed to interfere with that principle, nor have they yet succeeded in doing so.

That so-called right is the snag they have run up against, that they are up against now and will stay up against until they make up their minds to ignore it. It is the thing that stands right square in their way and it belongs there or it does not. If it is right, it belongs there and they can't ignore it, if it is not, they can and must before they will succeed.

So far, as far as I know, they have not tried to ignore it, but have recognized it and tried to get along by simply pursuading men that it is to their interest to waive their right, instead of persuading them that they have no such right.

The whole difficulty lies in this fact, namely: the public regards the right of a man to sell his labor in the open market for any price he pleases as a great fundamental principle that must not be abridged, and attaches a great deal more importance to it than they do to the principle the unions stand for.

As a matter of course, that being the state of public opinion, the unions have met with great opposition where they would have met with none if the public had looked at things rightly.

If they had looked at things rightly, they would have seen that what the unions stand for—reasonable wages, hours and conditions for hired men—represents a great fundamental principle, one that underlies and is essential to the welfare of society, and that the one they have attached so much import-

ance to,— the right of a man to sell his labor in the open market for any price he pleases—represents no principle at all, fundamental or otherwise and is of no importance whatever but positively destructive of the welfare of society.

The truth of the whole matter is that, the unions stand for the only fundamental principle that is involved and the other stands for nothing except slavery and misery.

If the people understood this would there be any doubt about which side they would be on?

Strikes, boycotts and lockouts are expedients, they settle no principles.

The right of a man to sell his labor in the open market for any price he pleases has been so strongly intrenched in public sentiment and the courts, that labor unions have had no show whatever to secure reasonable wages, hours or conditions, when demanded and refused, except to strike or boycott.

Employers, on the other hand, when union men refused to work on their terms, had no way to carry on their business except to lock them out and go into the open market and hire others willing to accept the rejected terms and take their places.

In striking, union men have depended upon the open market to *not* furnish strike breakers while employers have always depended upon it to furnish them.

The open market, therefore, was always an enemy to be feared by unions and a friend to be relied on by employers.

The unions fought for a principle, the employers for a profit, and the men in the open market for just themselves.

As there never was any law or court either union or employer could appeal to, both had to resort to expedients. The expedient of the unions has been the strike or boycott and of employers, the lockout.

A fundamental principle was always involved in the dispute but, as no principle was relied on or applied to settle it, no principle was settled when one of the parties triumphed.

It was merely a trial of strength—a battle of resource and endurance, and, no matter which won, the peace lasted only so long as the vanquished felt too weak to renew the struggle. Nor was the peace secured general in its effects. It applied only to the parties.

A strike, boycott or lockout has never settled any dispute except for the time and place, which might be this here and that there; this today and that tomorrow.

Surely, no argument is necessary to show that these fights are not in harmony with the public welfare, nor can any argument be necessary to show that the principle the unions stand for concerns the public welfare; and because it does, no argument should be necessary to show that the duty the public owes to itself is to take a hand and substitute law for these expedients.

If the public welfare demands that hired men should be paid reasonable wages, and that they should not be obliged to

work unreasonable hours or under unreasonable conditions, and I can't think any one is so blind as to dispute it, then the unions stand for a fundamental principle and the public is bound to take notice of its efforts and help it by adopting some law or general rule of procedure by which all disputes relative to wages, hours and conditions of labor may be settled peaceably and not force either union or employer to expedients to obtain their rights.

So far as labor unions, themselves, are concerned, they stand for the only principle in regard to hired men and their relation to society, that has any merit whatever, because they stand for justice to them, and justice to them signifies the welfare of society, therefore, they can afford to hold up their heads and boldly face the world in demanding measures to help enforce that principle.

They can afford to say that whatever is for the welfare of society is right, and whatever is right there must be a way to obtain that is in harmony with law and order.

They can afford to say no way is or can be in harmony with law and order unless it respects and protects the equal rights of all, and that is the way we shall always contend for, the way we shall find and insist upon until it is recognized by law.

So long as labor unions do not know what that way is, or, knowing it, are unable to make use of it, they will be justified in resorting to expedients. But when they have found it and have the power to use it but do not, then they are no longer justified.

It must be evident to all—unless to those who wish to make a profit on their labor—that hired men have a right to be fairly paid and treated, and if no law is adequate to secure these rights to them, they have the right, in self-defense, to adopt any expedient that will fit the emergency.

It is the emergency that justifies the expedient, not a principle, because no principle is solved by it. It is, therefore, clear, since strikes, boycotts and lockouts solve no principle that, in the end, something must take the place of them that will, in order to bring harmony and order that shall be enduring.

Expedients can never bring about this happy state. They sometimes bring relief—but not always, nor is the relief they bring ever permanent. It lasts for only a little while and then the battle is renewed and must be fought all over again, attended always with disaster to those immediately concerned and more or less to the whole country.

The strike and lockout expedients now being resorted to in Colorado, where union men are being driven from their homes and the State by the State militia, under orders from a governor (Peabody) whom they probably helped to elect, is a fair sample of the troubles that must always be looked for to accompany the expedient method.

The whole military power of that State is being used to help

capitalists in their fight against organized labor, because capitalists control the State offices.

By the way, here is a lesson for hired men and unions, namely: the side that has control of the offices is hitched to the long end of the evener. In Colorado it appears the capitalists are hitched to it and the question hired men should ask themselves is—if they voted to help hitch them—will they do it again at the next or any other election?

The opposition of a capitalistic governor to the wishes of the unions is to be expected, every time, if their wishes oppose the wishes of the capitalist class.

When the miners of Colorado resorted to the usual expedient—the strike—to enforce their demands, the capitalists met it with other expedients, which their control of the offices enabled them to make use of, and it will always be that way when it becomes necessary, so long as their friends are voted into office and power. Hence the question as to who laboring men should vote for, becomes material, but I shall have something to say of this later.

There being no law in Colorado that the miners could appeal to, to try the justice of their grievances before a court and jury, they had no alternative but to yield or strike.

To yield meant, to submit to what they believed to be oppression. To strike meant, defiance to the power of capital and invite every privation and suffering, a merciless money grabbing corporation could subject them to, but, brave men that they were, they did not hesitate to choose between a dishonorable surrender and an honorable stand against wilful wrongs, and resorted to their only expedient, the strike.

Of course a strike is a kind of force, because, when the men refused to work, the mines were forced to shut down. But what was the action of the mine owners, of which the men had complained, but force?

If the mines were forced to shut down by the conduct of the men, the men were forced to strike by the conduct of the owners.

No law was available to settle the simple causes of the trouble, but the owners were able to find plenty of it with their tools in office to pervert it to furnish them with complex expedients to meet the expedient of the men.

Their first expedient was to starve them into submission and the law permitted them, without a protest, to try it. Their next was, to fill their places with hungry non-union men and no law rose up to interfere and command them to *do justice*.

When these failed, their final expedient was to get the loan of the militia to run every union man out of the country that refused to go to work for them on their terms.

So I say, expedients will not do to tie to for a remedy. They are expensive and demoralizing and settle no fundamental principle.

WHAT MUST TAKE THE PLACE OF EXPEDIENTS?

There can be but one answer to this question, namely: law. The great bodies that comprise the universe move in harmony because, they are govered by law; and so men, in order to live in harmony, must govern their industrial relations by law, not by expedients; and the harmony they enjoy through law must always depend upon the moral excellence of the laws that govern them.

Now notice. I am not advocating the way to remedy labor troubles that Mr. Roosevelt and the preachers rely upon—appealing to the *hearts* of employers and hired men to be good and deal fairly, I am saying and saying it emphatically, that they never will be good or deal fairly until compelled by law to do so.

Just as true as the planetary system is governed by force—law, so it is true that, at present, men must be governed by force—law. And it is self-evident that the standard of moral excellence of the laws and customs that govern them, must depend upon the average standard of moral excellence of the individuals composing society. If, therefore, it is desired to raise the standard of government, the average standard of moral excellence of individuals must first be raised.

HOW ARE YOU GOING TO RAISE IT?

The first thought of every individual is how to provide the physical necessities of life; and his interest in the *certainty* of obtaining these would naturally precede his interest in the *method* of obtaining them; and it is the method of obtaining them that primarily involves the whole scope of his moral excellence.

This being true—and it seems to me to be self-evident— the first duty of the advocates, including the President and preachers, of a higher standard of moral excellence in men is, to lay the foundation for it by giving them a feeling of *security* that the necessities of life will always be theirs so long as they are willing by their own reasonable exertions to produce them.

Under the present system of getting a living nobody has that feeling of security nor is it possible; and consequently, everybody is a hard subject to begin on to raise the standard of individual moral excellence.

Society thought it had found a way to produce a feeling of security in regard to the physical necessities of life when it invented the system of *private gain* and still thinks it will do it, but in the very nature of things, it is impossible. Instead it produces greater *in*-security because it makes it possible for a few to privately gain so much that the rest can have no feeling of security whatever.

PRIVATE GAIN ALWAYS AT THE PUBLIC EXPENSE.

Private gain is, as a rule, always at the public expense.

Now, as I am liable to be misunderstood when I say that, I will explain what I mean by "public expense."

Private gain is at the public expense. First, when one person gains more than he needs and thereby obliges some other person to do with less than he needs.

Second, when one makes a profit on the labor of another.

Private gain at the public expense does *not mean* simply, *public officials* who rob the public; that is the popular idea but it is not the right idea.

When one person has all he needs and then tries to get a portion of what some one else needs, he is trying to get something at the public expense. Private gain is all right and proper until it reaches that point, but when it passes that point it is all wrong.

People have been brought up to think they have an undoubted right to gain, not only all they need for themselves, but all they can, that everybody else needs; and they have been doing that so long, and the courts have so long been upholding them in it, that now a few have got so much more than they need, the great majority of the people are unable to get as much as they need. That is what I call making private gain at the public expense. It is at public expense because, what the few have too much of the general public have too little of and can't get it, because the few have all there is and keep taking the most of the rest as fast as it is produced.

If we would raise the standard of manhood and government, we have got to begin by wiping out these fundamental wrongs and giving all a show to have their share.

The welfare of society demands that every man shall enjoy Life, Liberty, Security and Happiness, and that to obtain these he needs all he individually produces. I do not mean that he will eat all he produces but that what he does not need to eat he needs to exchange with others for something they have produced and to pay his share of the public expense.

EVERY MAN HAS A RIGHT TO LIVE DECENTLY.

In order to enjoy Life, Liberty and Happiness, every man has not only a right to live, but he has a right to live decently and his family has the same right; and no man or family can be said to live decently without plenty of good, wholesome food, comfortable and nice clothing, a pretty and healthful house and home, work to do, rest, recreation, opportunities for culture and his proper share of everything there is that any other person has that is conducive to the development of a

higher manhood; but we make it impossible for him to get his proper share if we make it possible for another man to get more than his, at least experience has proved it to be so.

His proper share of all there is, is not only the right of every individual but it is the right and duty of society, for its own preservation, to demand it for him and see that he gets it, and when it does so, the standard of individual moral excellence will have a better show to rise.

PRIVATE GAIN IS PUT BEFORE PUBLIC GOOD.

"The public good" has been society's motto for a long time, and yet, as a matter of fact, up to the present it has put private gain, although obtained at the public expense as I have just defined it, before and above the public good.

It has falsely reasoned that private gain, though of that manifestly unjust kind, would produce public good and must come first, and so has constantly postponed and sacrificed the public good in the interest of private gain, and still is persistently doing so. It has and still does fail to realize that private gain so acquired is always at the public expense, and that the result has been and is, the unequal conditions and discontent of today.

It is now worrying itself to find a way to quiet that discontent, but its worry comes of trying to find a way that will do it without in any manner disturbing this unjust but recognized right of private gain at public expense.

It foolishly hopes to find it by appealing to men, who are devoting all their energies to private gain, to be fair, instead of saying to them through its laws vigorously enforced—"*you shall be fair.*"

In the absence of such laws, hired men are helping to solve the difficulty in their own way. To better their conditions they have organized themselves into labor unions, and, by the strength of their numbers and loyalty to purpose and each other, they have forced society to take notice of their complaints and ask itself, "what is to be done?"

BECAUSE SOCIETY REFUSED TO PROTECT HIRED MEN THEY FORMED UNIONS TO PROTECT THEMSELVES. "PUBLIC OPINION" AS TO WAGES OF STREET CARMEN.—BY THE DAILY SAN FRANCISCO CHRONICLE.

Labor unions have no right to speak with authority and say what wages a man shall receive, nor do they do so. That right belongs only to society and it refuses to do anything except preach. In fact it even refuses to admit that it has a right to do anything, and because of its refusal, labor unions have gradually and naturally grown up to accomplish the same end by negative methods; that is, society could by its laws say to the employer, "you shall." The unions cannot say to them, "you shall," they can only resolve that, "unless you do, we won't" and then—don't, called "strikes."

Society can put behind its laws to enforce them, the whole power of the State, but the unions can put nothing behind their resolutions to enforce them but the voluntary loyalty of members, and this, at times, calls for the highest courage and devotion, because they control no land nor any of the tools of production or distribution with which to supply themselves with necessities during a strike and know that they and their families must face every inconvenience, indignity and privation their employer's wealth and poltical pull can subject them to.

At present, a strike by the Street Carmen's Union of San Francisco, seems certain because of the ultimatum of the United Railroads relative to certain conditions of hiring; and the daily San Francisco Chronicle of May 3, 1904, editorially gives what it says it "believes to be public opinion" as to what wages the men may get if they can as follows: "The present wage scale being 15 per cent higher than that of the carmen of any other city—except three of four mountain mining towns—is fair, but that nobody cares how much more the men can get by peaceful means and without interruption of the service."

The point in that editorial as to public opinion is: "*that nobody cares how much more the men can get,*" and shows how little society realizes its relation to the parties and its solemn duty to recognize and exercise its right to interfere and settle wage questions.

I say it should care and has got to care. It has a responsibility in the matter and cannot shirk it or escape it. That society is concerned whether it wants to be or not. The men on

both sides of the controversy are members of society and it is its business, for its own protection, to see that justice is done whether to the men or the company.

It has a right and it is its business to know that the men are fairly paid no matter what the company is willing "by peaceful means"—or otherwise—to pay.

On the other hand it has a right and it is its business to know that the company is not obliged to pay excessive wages, no matter what the men demand or how able they may be by refusing to work or otherwise, to enforce it.

Such disputes do not concern the parties to them as much as they do society; and by virtue of its superior concern, society has a right and must exercise it, to speak with authority for both sides and compel obedience to its will.

Their fight involves but one subject, namely: Justice and if it is not the right and duty of society to speak and settle quesquestions of justice between its members, when its own welfare is concerned, and regardless of whether either party appeals to it to do so or not, then it does not possess rights and duties sufficient for its own preservation: something no one of sound mind would entend.

The doctrine of "self preservation being the first law of nature," would seem to justify the individual in doing anything he finds it necessary to do to preserve himself; but if for that reason he can claim such a right, society, for the same reason, can claim it to preserve itself: because its right to preserve itself is a higher right than the right of the individual to preserve himself, it follows that, when the individual, in doing something to preserve himself does something that is destructive of society, society has a right to interfere and stop him.

The Chronicle in the same editorial further says: "That a union of the employes is imperatively required by their own interests, but that it should be a union so led as to promote good feeling between the men and the company, and not hatred and continual bickering. In behalf of such a union as that, public opinion may be implicitly relied on to aid in procuring from the company whatever privileges and concessions appeal to the sense of justice of the impartial man."

I purposely omit noticing anything here said except what bears on the point I am discussing; "*public opinion* may be relied on to *aid in procuring* from the company whatever *privileges* and *concessions* appeal to the sense of *justice*," etc.

How would public opinion do it, there is no law or court to help? No, that is not what is meant.

By "public opinion" the Chronicle means, public sympathy for the men if in the right, and contempt for the company if in the wrong; but it forgets that the public would be divided into those, first, who have a similar complaint against their employers but are powerless to help themselves and would be in sympathy with the men, and a sprinkling of others who would sympathize with them because they love fairness under

all circumstances, and, second, those who, like the company, wish to get all the work they can out of their men for the least pay, and these would sympathize with the company.

But what would the company care about public sympathy? Nothing, unless it materially diminished its revenues and it could stand a good deal of that, especially with the "Citizens' (rich men's) Alliance" and other similar organizations back of them. Hence, reliance on "public opinion," or sympathy, would be a poor substitute for laws and courts to enforce justice speedily, impartially and exactly.

But think of the men having to get on their knees, either to the company or to public opinion to get what they earn? That is something they should have a right to demand in a court of justice.

No well ordered government will ever throw any man upon public opinion or sympathy to get what is his of right, it will see that he gets it, and without humiliating him in any such manner.

The company as well as the men is entitled to what is right, and neither should be placed in the attitude of a whining mendicant to get it. All should be encouraged to stand up like men and demand it because entitled to it. If there is no law or court either can appeal to for such a purpose, it is a shame upon our civilization that such is the case; nor is there any possible excuse for it except it be to make a "wide open" and better opportunity for the rich and powerful to rob the poor of just wages, or public ignorance.

To tell the men they must rely on public sympathy "to procure from the company privileges and concessions," is an insult. They are not asking privileges or concessions; they are demanding to be paid what they earn—the right to live.

THE "OPEN MARKET" PEN AND MEN WITHOUT WORK.

It is the men without work, hungry working men, not mercenary working men, whom capitalists depend upon to break strikes and disrupt labor unions, and the "open market" is the pen they have provided in which to collect and herd them until wanted.

The wages they will pay are never fixed with reference to what would be reasonable but always with reference to the number of idle men they have in their "open market" pen, whose sufferings from privation have reached the unendurable stage that makes them glad to get out and go to work on any terms or conditions offered.

The great stockyards strike now (July, 1904) on in Chicago, where half a dozen packers feel able to defy sixty thousand union employes; and the cotton mills strike now on in Fall River, Mass., where a few mill owners feel able to defy twenty-six thousand more, are instances of the value to them of their "open market" pen principle and of the unlimited power it places in their hands to rob and oppress hired men in the absence of any law to force them to pay reasonable wages.

They know the value of the "open market" pen, and how to keep it full and overflowing with hungry men wanting work, and they do it.

Notice how flippantly they treat the seriousness of the situation in Chicago. Mr. A. Meeker, manager for Armour & Co.'s plant says: "This is a big country and there is plenty of idle labor this year. We are getting along fine without the unions."

Of course! Why not? They have got their "open market" pen, chuck full of destitute "idle labor," and they know it. So do the cotton mill owners.

For a long time both have been busy helping to get it full and crowded, ready, in case their union employes refused to longer knuckle to unjust wage conditions and strike, to displace them from their "open market" pen with negroes, Chinamen, Japs, or anybody else.

No wonder a few, who are rich, can complacently snap their fingers at eighty-six thousand who are poor, when they know their "open market" pen contains an enormous army many times their number, of hungry reserves desperate enough to do anything.

The open market pen is a part of their settled policy, we might say, a part of their assets, and will continue to be as long as they are permitted to go into it and hire men without being obliged by law to pay them reasonable wages.

Capitalists have such an absolute control of all industries that they can always keep plenty of men idle, hungry and

desperate enough to help them keep down wages and disrupt unions.

There can be no question about there being plenty of idle men, as Mr. Meeker, Armour & Co.'s manager says, or about there being plenty of men who are at work for insufficient wages, or about there being plenty of others who would be glad to take their places at even less wages simply because they are destitute and any kind of wages would help them to exist a little longer while waiting, hoping for "something to turn up."

Poor deluded creatures, they little dream of the plans of capitalists and the great economic reforms they are constantly shaping to keep them where they are or narrow still more the possibility of bettering themselves and that shall make capitalists richer.

"Something to turn up," indeed! That day has gone by for hired men so long as the present system continues.

Nothing "turns up" any more except for capitalists who are wrongly permitted to own and control the Earth and Tools of Production, for the Common People, nothing. All that is left for them is work, work at odd times when Capitalists choose to give it to them and for such wages as they choose to pay.

It is the natural thing to expect, as long as men are allowed to work for any price they please and work is scarce, with several after the same job, that each will underbid the other to get it. This is exactly the condition the "open market" system produces and fosters and the condition capitalists want. They want to keep up competition among hired men but combine and stop competition among themselves.

So long as they can induce the people to believe that the open market is right, and can keep hired men competing, the people will do nothing to close it, and it is the natural thing to expect that they will hire the men who will work the cheapest.

It is also the natural thing to expect that if a man is starving, he will work for just enough to keep his body and soul together if he can't get any more.

Now, does anyone have any doubt about the truth of this proposition: that if a man is obliged to work for a bare existence he is bound to lose interest in himself, his family and country?

Does anyone doubt that he will eventually degenerate physically, mentally and morally, that the young family that must look to him will be deprived of those things necessary to make them healthy, strong and desirable citizens?

Does anyone doubt the right and duty of society to interfere and protect every man in his right to receive wages that will enable him to live decently and raise his family properly?

Does not the preservation of society depend upon it?

President Michael J. Donnelly, leader of the stock yards strike in Chicago, had the right idea of the importance of the

relation of the hired man to society when (July, 1904,) he said in the card he issued to the men: "*Every American citizen must have a living wage. He must have a good home. He must have the very best for his children.*"

"THE CLOSED SHOP."

A press dispatch reads:

"Pittsburg, Pa., May 17, 1904. Nearly 700 delegates were in their seats when the ninth annual convention of the National Association of Manufacturers was called to order today. President, D. M. Parry, of Indianapolis, delivered his annual address and briefly discussed the labor problem, which he declared was at present the paramount question before the Association."

"Speaking of the closed shop," Parry said.

"The closed shop is against public policy and is of doubtful legality."

Now, before it can be said that the "closed shop is against public policy," it must appear that there is a public policy in reference to hired men and shops.

If there is, what is it? Is it a good policy or a bad one?

If it is a bad one, would it not be wiser to censure the policy than the conduct of those who oppose it? The conduct of those who oppose the policy may be better than the policy; anyway the greater the opposition the more we should be aroused to investigate the policy to discover if there is anything wrong with it. If the opposition has a large following and they appear to be sincere, it would seem to be wiser to weigh carefully the reasons which prompt it; than to toss them aside as not worth considering.

In the case of the "open shop," as it is called, it is a fact that about three million labor union men are opposed to it, and this would indicate, if public policy is in favor of the open shop, that it is not a perfect policy.

As to what is public policy on the question of open or closed shops, Mr. Herbert George, chairman of the executive committee of the Citizens' Alliance, should, from the standpoint of the capitalists, be good authority. He tells us in "Town Talk," May, 1904, that: "The closed shops is the worst form of tyranny known to the commercial world," "that the open shop is the natural right of Americans and mankind, and it will prevail, though it precipitates the bloodiest war that ever blotted the pages of history."

What Mr. George means is, men have always been permitted to sell their labor in competition with each other in the open market for any price they pleased and it was their natural right to do so; that it is their natural right now and always shall be. In other words he means, it has been and is public policy, and the policy is going to be continued, right or wrong, if it takes a civil war to do it.

If Mr. George and the Alliance are so sure they are in the right that they won't give up without a war, then of course, it is useless to waste words with them. But as I know they don't expect to fight their own battles, but will depend upon labor-

ing men to fight them, I must try to spoil the fight by talking to the laboring men so they can't raise an army.

The whole object of this book is to show that if, "Americans and mankind" have the "natural right" Mr. George says they have, it is not and never was their social right; and as all men are members of society they have no other rights, but social rights.

Social rights are the only rights public policy has anything to do with, and to the extent that public policy has sanctioned the social right of men to compete with each other to get work and sell their labor in the open market to get it, for any price they pleased; it has been a bad, corrupt and rotten policy, and I hope laboring men will organize themselves into a great army, not with guns, but with ballots in their hands, and vote it out.

No union man would object to the Open Shop if it stood for reasonable wages, hours and conditions, but it don't, and every union man knows it.

Its object is to encourage competition; not for the good of the man, but to get his labor for less than reasonable wages: and, as there is no law to prevent it, the unions stand in the way to do all they can towards preventing it. They do not fight non-union laboring men because they don't belong to a union, but because non-union men are willing to go on competing in wages and helping employers to keep wages down below what any man ought to sell his labor for. The unions contend for the principle that all men must be paid wages that will enable them to live decently, no matter if there are forty men who want the same job.

That, Mr. Herbert George, is what public policy should be and must be, nor will it "precipitate the bloodiest war" or any war to get it; the ballots of the men you and your Alliance are opposing will bring it, in due time. And further, if you and the members of your Alliance were obliged for the welfare of society to pay every man in your employ reasonable wages instead of what you can get men for by your open market scheme, you would never have anything more to say about "Open Shop."

It is hardly worth while, perhaps, to remind Mr. George that he seems to be a citizen of the Peabody and Bell pattern: he sees things only as capitalists want them. He knows the conditions the Alliance wishes to perpetuate to keep labor down and always cheap, and tells of the extremes it would go to to have its way.

When he threatens "the bloodiest war," however, he does not mean that he or any of the Alliance would actually carry a gun; he means they would depend on the conditions they are so willing to welcome a war to maintain, to keep enough competing laboring men waiting for jobs and hungry, to be ready, when wanted, to shoulder guns and do their fighting. That is, when the time comes, laboring men will be set to shedding the blood of laboring men, to help capitalists maintain the principle of the "Open Shop," not for the benefit of Laboring Men, but for the benefit of the Alliance.

THE OPEN SHOP.

WHAT DOES IT MEAN?

The open shop the Alliance wants, means, that the rich shall have the right to skin the poor. It means, they may always keep the poor fighting each other to get a job and cutting wages to the lowest living limit. It means, the hired man shall continue to live on crusts and crumbs although his labor creates substantials, delicacies and luxuries in great abundance for his employer. It means, greater poverty for the poor, deeper degradation and denser ignorance. It means a race of industrial slaves, the dwarfing of ambition, the death of hope, the servility of a vanishing manhood and the ultimate destruction of society.

"Union labor is the original protest" against these conditions—"against being skinned."

"Non-union labor is submission to the extortion." (Appeal to Reason.)

When it is said that "union labor is the original protest against being skinned," it is not meant that the unionizing of labor on present lines will solve the difficulty and stop the skinning, for it is doubtful if it can ever do it; but it is meant that it has done something.

First, it has aroused and awakened Labor to a realization of the fact that it is being skinned.

Second, it has taught it that it must organize, in order to do anything to stop it.

Labor unions, by controlling in part the supply of labor and demanding a larger per cent of what labor produces, has vastly improved labor conditions and will go on improving them as long as employers are not united; that is, are doing business independently of and in competition with each other.

But, will the time come when they can't demand and get reasonable wages?

My object is, to point out the inevitable as I see it, no matter how unpleasant it may be to me to do so or to laboring men to hear it.

Fore-warned is fore-armed, they say, and if men see what is coming, they will get ready for it.

Let me ask you to look backward fifty years—fifty is far enough. What could you see then? Were there any but small individual producers and traders?

What became of them and what took their places? Was it not small partnerships and companies?

What was the object of forming partnerships and companies, was it not the concentration of capital and co-operation of effort in order to be able to put up a better fight to control business? Did not partnerships and companies force

other individuals to form partnerships and companies or quit business because too weak to hold their own?

What came next? Was it not corporations, and was not their object a still greater concentration of capital and co-operation of effort for the purpose of putting up a still stronger fight for business than the partnerships and companies were able to put up?

Did they not force other partnerships, companies and individuals to also form corporations or quit business?

What came next? Was it not combines of corporations, called trusts, and was not their object a further concentration of capital and effort to control all business in their line, stop all competition and have a monopoly?

Well, there you have it, step by step, from fifty years ago to the present.

First the individual, then the individual crowded out by the company, then the company crowded out by the corporation and now the corporation being crowded out by the trust; a steady growth of the principle of concentration and co-operation.

And the result? Why the result is that instead of millions in business for themselves making a nice living, competing and keeping prices normal and in harmony with the law of natural supply and demand as of old, those millions are now working for wages for the trusts that ruined their business, and absolutely without any hope of escape until the programme changes.

You have looked backward fifty years, now look forward.

Can you judge from the past what is sure to come?

Do you think concentration or co-operation will ever be abandoned or that we will go back to the old way of doing things? Do you expect to see the old-time blacksmith hammering out horseshoes, the old-time shoemaker manufacturing shoes, the farmer with flail threshing his grain or the old stage coach crossing the continent instead of cars?

No, you don't expect to see those things again, nor do you expect to see the multitude of little producers of old, taking the places of the great concerns that closed their places of business forever.

Concentration and co-operation have been the order of progress and their work is not finished.

You know it, and expect to see them go on and on until the smallest waste in the conduct of business is eliminated, and every man has either joined a combine or been crushed.

Now, if you look at it as a fact, which it certainly is, that concentration and co-operation is as much a law of business, economy and success as gravity is a law of nature, and like it may be utilized but never destroyed, then you will be looking into the future from the point most favorable to you to discover your best course of action to turn it to your advantage, instead of wasting time, hesitating to act, or in efforts intended to stay its inevitable progress.

There is a way to do this and it is up to Hired Men and Labor Unions to find it, boss the job and flourish with it, with the rest of mankind, or get in the way and miserably perish while uselessly opposing it.

Tell us if you can, Hired Men and Labor Unions, have you found it? Do you now occupy a place of security and safety in the great concentrating and co-operating process that is going on and rapidly gobbling the Earth?

Let me ask you another question. Do you expect to dictate terms to those who own the earth?

Of course, you understand what is going on. You understand that a few years ago everything that was manufactured was manufactured by a great many different people who owned their own plants and operated independently of each other, each competing with the other for his share of the trade and employing his own agents, bosses and men. Is it that way now? No.

What has happened? Why, a J. Pierpont Morgan went among them and explained how foolish it was to have so many different sets of men and tools to do what one set could do under one management, and save all the expense of so many and still sell their goods for the same profit.

Did they see it? Of course they did, and sold out to a combine under a new name that closed all the old plants not needed and "fired" all the old employes not needed in the new arrangement.

And what did they do?

They formed such a powerful combination of capital and influence, that nobody dared start up in opposition to them, and were able to control primaries, elections, appointments and the making of laws, and pollute the bench, bar, jury box and pulpit.

Combines have not yet quite got absolute control of everything, but they are getting it, and when that time comes, the unions will be as powerless to demand reasonable wages and conditions of labor as a solitary individual.

Why? Because, if labor strikes, the associated combines will back each other and all shut down until labor is starved into submission.

They can't do it? Why not, don't they own everything? What has Labor to sustain itself but the little remnant of wages saved?

As things are now, one army of hired men is permitted to work while another is on strike, and the working army feeds the striking army, but do you think it will continue that way?

No, not any longer than is necessary to get an organization of the combines perfected so they can act in harmony and support each other as did the shoe manufacturers in San Francisco and Petaluma recently when the men in one shop went on a strike and all the other factories on the Bay stood by the factory in which the strike occurred and demanded that the

strikers go back to work or all the other factories would close and throw every union man in them out of employment.

That was only a small example of what can be done and will be done.

THE OBJECT IN UNIONIZING LABOR.

The object in unionizing labor is to place it where it cannot be forced to work on the arbitrary terms of employers.

Its object is to accomplish the very end which I say should be accomplished by law, courts and juries.

As the courts will not interfere to compel the payment of reasonable wages, the unions have sought to shield men from the avarice of employers by fixing a schedule of prices and inducing them to refuse to work for less.

This has been quite effectual during the early stages of concentration and organization of capital, but is it not plain that a more perfect concentration and organization will defeat the purposes of unions, if their only weapon is the Strike?

Some one has said "the lockout is as fierce and effective as the strike. Strengthened by a federation strike insurance company, the employers are bidding defiance to Unionism."

That is stating the situation exactly as it will be. The employers, growing fewer and fewer, as business concentrates in fewer hands, will "federate" and act as one in all matters that affect any member of the federation, and as Labor owns nothing and cannot support itself without its income of wages, it must finally yield to the federation's terms unless Society, through its courts shall interfere and say to the federation, "You are great, but Society is greater, and 'by the Eternal' you shall do justice or we will take over all you claim and operate it in the interest of the whole people." And, perhaps, that would be the best weapon, after all, that hired men could choose to win their fight for fair wages. It would make them equal partners in the business.

THE REMEDY.

Various remedies have been proposed for "the vexed problems before the country"—as Mr. Cortelyou, Secretary of the Department of Commerce and Labor, calls the labor troubles—from "sane and conversative treatment," "sterling principles of honor and fair dealing" to "arbitration" and "five acre farms with cow and pig" for laboring men in barren New England.

The difficulty with all the remedies so far proposed, of which I have heard, is, none of them would be a remedy.

"Fair dealing" would go to the root, but nobody will ever deal fairly unless the law of self-interest or the courts compel him to do so. Self-interest seems, so far, to be wholly against fair dealing; hence the only remedy worth trying while the competative system lasts, would be, courts and juries fully empowered and the duty made mandatory, to decide what are fair wages in every case submitted to them.

The five acre plan is silly, except as an expedient, and arbitration, unless compulsory, would amount to nothing.

Labor unions are not a remedy, and never can be for the reasons I have already given and probably for other good reasons.

To begin with, it is useless to propose any remedy unless it is founded on fundamental principles that undelie the welfare of society, and society sees it and is ready to enforce it. Therefore, I have endeavored to point out the fundamental principles involved, how they have been disregarded and the troubles that resulted.

If I have succeeded, and the troubles spring from the cause I have discussed, then the remedy I propose would naturally follow, be in harmony with present institutions and as absolutely effective as could be hoped for, so long as competition is recognized as the best industrial system for the people to live under.

Briefly, those principles are that:

No man has a right to sell his labor for any price he pleases, and *because he has no such right.*

No other man has a right to buy his labor for any price he can, and if he does so.

The right of society is to interfere and inquire if the wages paid are reasonable, and if not, to make him pay reasonable wages.

Society already possesses all the Machinery necessary to do this.

All that is lacking, if anything, is the making of one simple law to set it in motion, and the "vexing problem" between capital and labor will fade away.

The law would say in substance: "All men shall be paid

reasonable wages for their labor, to be determnied by a court and jury when appealed to, *regardless of any agreement as to wages that may have been made.*"

In other words, courts and juries should be authorized and required to *go behind* every contract as to wages and inquire on one side into the ability or efficiency of the hired man and the necessary cost to him to live decently, and on the other, into the ability of the employer to pay, and *do justice* between them.

That is all there is to it; and, if the reader will keep in view the constitutional right of every man to "enjoy and defend life and liberty and pursue and obtain safety and happiness" and that his constitutional right to "acquire, possess and protect property" was intended to be subordinate to and for the purpose of securing these; if he will keep in view the right of society to preserve itself, and what kind of contracts should be treated as *legal* contracts (see ante, page 94, et sec., "The discontent of hired men"), I have hopes his conscience will tell him there is no hardship in this remedy of which any just man could complain.

The principle that justifies the remedy is, the welfare of society.

It found a partial precedent in the taking of testimony before the board of arbitration to which had been submitted the dispute relative to wages between the Street Car Men's Union and the United Railroads of San Francisco in 1903.

In that case the cost of living, including house rent, price of bread, meat, groceries, clothing and many other things, were testified to on behalf of the men, also how steadily they received work, the revenues of the company, the amount of capital invested on which it should receive a proper return, and the cost of operating, etc., the point being to prove the men were not paid enough to enable them to live decently and the company, from its revenues from the roads operated by the labor of the men, was abundantly able to pay them better wages.

On behalf of the company, it was relied on chiefly to show it already paid better wages than were paid in any other city in America for the same class of work, except in Montana.

Can anyone see the difference between these two propositions?- One, the men, demanding wages enough to enable them to live decently in San Francisco; the other, the company, contending if it paid better wages than any other city in America it was paying enough.

The men represented a principle in their demands, one underlying the welfare of society, namely: that they produced enough for the company so that the company could afford to pay them wages that would enable them to live decently, which, of course, the welfare of society demanded that they should. The company represented no principle except one antagonistic to the welfare of society, namely: its own private gain at the public expense. The company's position was, in short, that if they could get other men to do the work for the wages they

were then paying, they had a right to get them and keep every dollar of profit for the stockholders. That if the present employes wished to remain they should be willing to work for the wages others would be willing to work for. In other words, so long as there were two men wanting the same job, the company claimed it should have the right to hire the one that could manage on the least pay to keep breath and stength enough in his body to do the work, so the company could make bigger profits.

The contention of the company was only an instance of the prevailing idea among capitalists, courts and statesmen as to what wages should be, and may be stated thus: *Wages should never be regulated by what is reasonable but always by the pressure of competition.*

Recently, (June 9, 1904) the Interstate Commerce Commission, in the case of the Georgia Peach Growers' Association, against the Atlantic Coast Line Railroad and others, rendered a decision in which it said: "An arbitrary charge of $80 per car imposed by the defendant, the New York, New Haven and Hartford Railroad Company, for the transportation from New York to Boston on peaches and other fruit shipped from Georgia points to Boston, its haul being part of the through service between the points of shipment and destination, is unjust, and $50 per car would be a just and reasonable charge for such transportation."

Of course the Interstate Commerce Commission is a court authorized by a law of Congress to inquire, complaint being made, into and to fix a *reasonable* charge for transportation in certain cases; but *why*, if it is proper for Congress to create a court with power to interfere for the protection of shippers, would it not be proper for a State to empower its courts, if they lack it, to inquire into and fix the reasonable wages a hired man shall be paid in the particular case?

His wages, when less than reasonable, are as arbitrarily fixed by his employer as are charges by a common carrier for transportation to a shipper, and certainly he is as much entitled to potection against being robbed as the shipper.

The law under which the Interstate Commerce Commission seeks to do justice between the carrier and the shipper, is founded upon the same general principle which I suggest justifies a law that would turn over to the courts the job of seeing justice done between hired men and their employers. The difference in effect would be that, before the ordinary courts, justice would be swifter and more certain, than before that commission, because a local jury would have hold of it, and employers would soon learn to keep from being hauled into court by paying, at the start, wages they felt sure no court or jury would say were unfair. If they did not, and relied on an unfair contract, the jury would say so and the court would set it aside as contrary to good morals, against public policy and void.

The hired man being an integral part of society and the

court's duty being to safeguard society, it could not shrink from interfering with a firm hand when necessary to protect him against unscrupulous or unjust wage contracts.

If hired men had a right to appeal to a court and jury and compel their employers to give them reasonable wages, hours and conditions of labor, instead of being obliged to work under dangerous and health-destroying conditions and long hours, and for the lowest wages which men competing with each other are obliged from necessity to take, they would feel that at last they had a way they could depend upon to settle in a fair manner all disputes and need not resort to a strike. At all events, it would be a lawful, peaceful and dignified way, and in the meantime, while a case was pending, work could go on as usual. There would be no excuse for calling out the militia or for high prices because of scarcity; the public would not be annoyed or inconvenienced by a lockout or strike; traffic would not be interrupted nor supplies cut off nor would there be any other great disturbance such as we see now. The questions at issue would be quietly tried in the usual way and both sides would submit to the decision, if for no other reason, because they would have to, the whole power of the State and Nation would be behind it.

LOCAL CO-OPERATIVE PLANTS AND STORES NOT A CURE FOR LABOR TROUBLES.

Co-operative industries owned and controlled by the laboring men operating them or in which they have taken stock and share the profits, including stores, have been tried in various countries and proven of great benefit to the members. There is no doubt but the co-operative principle could be extended to include every industry with advantage to those who were admitted to membership, but no local co-operative scheme or any number of them can ever settle labor troubles.

Co-operation by a few hundred or a few hundred thousand laboring men would be no different in prineiple from one of our big corporations and trusts and would be just as objectionable to all who were outside of it.

It would be another private concern, only with more members.

Its object would be the same—profits, shared only by those on the inside. That might be a good thing for them, but not for anybody else. It would not be the complete thing. To be complete, co-operation must include everybody. Nobody must be left outside.

Any plan of co-operation that includes only a part of the people, is too narrow and selfish to bring industrial harmony and peace. Relief for a few might lull discontent but it cannot extinguish it. It might postpone the day of final reckoning but it would have to come after all.

All the people must be embraced in any co-operative plan intended to ameliorate the conditions of all. Every man, woman and child must, not nominally, but actually share in its benefits.

If co-operaion is good for a part of the people it must be good for all, and I submit that co-operation by a part is dangerous to the welfare of all. Our modern trusts, all of which are founded on the co-operative principle, are forceful illustrations of this truth.

Therefore, I would like to say to hired men, if you go into any kind of co-operative scheme among yourselves, do not lose sight of the fact that general co-operation is better, and let your local co-operation be on the ground of expediency, the same as your strikes, to combat the co-operative trusts during the period while the public mind is being moulded in favor of general co-operation, and steadily work for that end yourself.

For my own part, I do not doubt the practicability of general co-operation, to include all the people, in the production and distribution of everything that does or ever will enter into the life of the human family.

THE MOTIVE OF SELFISHNESS.

CAN IT BE WIPED OUT?

Nobody does anything without a motive.
There is a motive behind every act.
There is a motive behind selfishness.
The motive is gain.

The first motive of gain was a desire to satisfy present needs and it grew in proportion as needs grew and the difficulties in the way of satisfying them increased. This kind of motive and selfishness has never been considered mean or wrong.

Later on, the motive of gain was increased to a desire to provide for future needs because of the uncertainty of being able to satisfy them when the time came. This kind of motive and selfishness has never been considered mean or wrong; and, if the motive and selfishness had never gone beyond these simple and justifiable desires, no harm could have ever resulted from anybody's selfishness, because there has always been enough to satisfy the present and future needs of everybody and probably always will be.

But the motive of some people to gain did not stop with these desires, they soon developed wants beyond their needs, present and future, and the motive for gain grew as wants grew. Of course the satisfaction of these wants beyond needs, that is, unnecessary wants, meant that just that much had to be taken from the necessary wants of others and piled up at the feet of those whose unnecessary wants it satisfied.

Now, if it would be possible in one case to trace this pile back through all those who contributed to it from their necessary wants, and then shift the whole burden on to one, or more according to its size, we should find at the other end that somebody, one or more, had been pinched in his necessary wants in proportion as the unnecessary wants of the other were satisfied.

In many cases the unnecessary wants satisfied would be found so large that if a few were obliged to bear it all they would be reduced to poverty, utterly ruined.

Suppose nobody had wanted or been permitted to get more than he needed? In that case there would have always been an ample supply for everybody's needs and nobody would be ruined or even pinched; but as there never is, was, or will be a supply sufficient to satisfy everybody's wants, it follows that, when everybody is permitted to get all he wants, if he can, the shortest legged ones in the race to supply wants, will be likely to fall short of getting even what they seriously need, enough to eat.

It was a long time before the motive and selfishness that made people want to gratify wants beyond their needs was

considered mean or wrong, except by those whose lives had been a constant struggle to supply their own simplest needs, and late years, this class has increased in numbers so rapidly (which was inevitable), and their discontent and protests are so earnest and alarming that, "what is to be done?" has become a vital political problem.

Has anyone a right to want more than he needs?

No, he has a right to want what he needs, but no more.

If he gets more than he needs he has got what someone else needs, and he has no more right to what some one else needs than someone else has to what he needs.

There is only enough on the earth for the proper needs of all.

There never was at any time more than enough for the proper needs of all, nor can there be, no matter if the people number a dozen or a dozen billion.

The needs of a person are not what he can get by "hook or crook," but his proper share that shall secure to him his equal right with every other person to life, liberty and happiness and an equal right to develope according to his natural ability.

These are his natural and rightful needs, and whatever is necessary to him to secure them he has a right to and cannot rightfully be deprived of in order that the unnecessary wants of somebody else may be satisfied.

Every person has a right to make the most of himself, but nobody has a right to make the most of himself at the expense or sacrifice of the right of another to make the most of himself.

The whole people (as a society) have a right to rise together that is, one has as much right as another to rise to the highest state of perfection and happiness he is capable of reaching; and the business of the whole is to see that he has the opportunity to do it by protecting him, against his will if necessary, in his right to enjoy his proper share of all that nature provided for the impartial enjoyment of all.

Therefore, if one has ability superior to another, he has no right to use it to deprive another of any portion of his proper share of nature's bounties, and the whole, for its own protection, must see that he does not do it. He has a right to use his superior ability to attain his own perfection and happiness, but when he attempts to attain his own perfection and happiness by appropriating the least of what belongs to another to enable him to attain his perfection and happiness, then he is wronging not only the other, but the whole, and to the extent any one succeeds in doing it, he destroys the balance necessary to be constantly preserbed for the rise, perfection and happiness of the whole.

If one is not inclined to recognize these rights of all, society (the State), at least, must not help him to wrong others (and itself) by protecting him in his effort to acquire and exercise exclusive control and dominion over material things without which it is impossible for anybody to rise. That is, it is im-

possible for anybody to rise without them or their equivalent; and if the equivalent in the case of most men must always come in the shape of WAGES, because a few are permitted to own and control all there is, then it is self-evident that the wages they receive must always be the measure of the opportunities they can afford to help themselves to rise, the same as ownership and control of all things enlarges and measures the opportunities the few can afford, to help themselves to rise.

If the policy of society is to be that a few shall be protected in the ownership and control of everything to the exclusion of all others, then its policy must also be to compel the few to make all they own and control productive, give steady or sufficient employment to those who own and control nothing and pay the wages that will enable them to afford opportunities to rise equivalent to the opportunities possessed by the few by virtue of their protected, exclusive ownership and control; or, what would be the same thing, compel the payment of wages equivalent to their productive ability if they owned and controlled their own necessary share of everything.

This is simple justice, and nothing short of the stern enforcement of it by society can ever possibly bring permanent harmony between those who own the earth (so long as they are permitted to own it) and those who own none of it, but do the work.

It is the plainest fact in the world that the earth is now owned and controlled by a very few people in comparison with the whole number of its inhabitants, and that their ownership and control is rapidly concentrating in still fewer hands.

Now, Mr. Hired Man, are any great truths apparent to you from this condition?

Do you see that all those who own or control none of the earth must live just the same, and live on what the earth produces?

Do you see that those who own and control it have a motive, and that the motive is, Profit and Power?

All right, now, who do they expect to make a profit out of and exercise power over? Who but you who own nothing and must work for them in order to live?

Well, now you are getting down to business, down to the actual facts of the situation as they exist and are coming, namely:

A few own and control the earth, and own and control it for profit and power.

All the rest must live, but are permitted to own and control nothing, and cannot live unless they live on wages the owners pay them for working for them.

Do you see? What do you say? What will you do? Hump your back and work harder? Of course you will. You have to. The owners have no one else to depend upon but you for profits, and they propose to make you make them. They own everything and have the power to do it.

Every one of them is interested in the big game of concentration being played and wants more profits to strengthen his hand.

With these he buys out or crushes his business rival. It is a great battle between them for supremacy, in which one wins and loses alternately until he drops out, and the circle grows less. But on one proposition they are never at war; they are perfectly agreed. It is that the main reliance of all for profits is, and shall be, the HIRED MAN.

He is ever present, ever docile, always in their power, and a sure thing to fleece—forever.

Now let us stop and sum up:

Let us see what knowledge we have, if any, about human selfishness.

Let us do so step by step, as we used to study arithmetic; and, first,

Is it clear that the motive of selfishness is always gain?

Is it clear that the first motive of gain was to satisfy present needs; that the next was to satisfy future needs, and that those needs were proper, and therefore there was nothing mean or wrong in the motive?

Is it clear that the trouble from selfishness began when men first began to have wants beyond proper needs and sought to satisfy them and were permitted to do so?

Is it clear that wants beyond proper needs are unnecessary?

Is it clear that every time the unnecessary wants of one person are satisfied they are satisfied out of the proper needs of another?

Is it clear that that is never right?

Does any one think any person (except himself, of course) who has wants to satisfy beyond his needs is ever moved to satisfy them by a motive higher than the gratification of his own vanity? If so, he will please stop, look about and pick one out, just one, whom he knows to have satisfied his own wants beyond needs of any magnitude, with no motive other than a pure desire to better the conditions of others, and let me know. I would love to help crown such a man as a God among men.

Is it clear that society has an interest in the welfare of all and a right to interfere and stop any one who is doing something to wrong another?

Is it clear that nobody would want anything he knew would give him neither profit nor pleasure, but would be certain to increase his cares and expenses—"be an elephant on his hands?"

IS THIS KNOWLEDGE OR A GUESS?

The motive of selfishness is gain.

A motive to gain what we need is right.

A motive to gain what we do not need is wrong.

Society has a right to stop what is wrong.

Nobody wants an elephant.

ARE THESE FACTS OR FANCIES?

Some people are gaining more than they need.

Because of it others are losing what they need.

Society (you are part of it) is doing nothing to stop the wrong.

It (you help) encourages and upholds it.

You have noticed the bigger a hog is, the more he is looked up to even by those he drives from the full trough hungry. They think because he is big he has a right to boss the swill, and, although all want some and could rush him and take it, they will not, but stand around and squeal. When some see a chance to dive in and grab a little they do it, driving off those weaker than themselves with as little pity as the boss hog ever showed for them.

And so it is with men. The strife among them to get their rightful share or more, goes on year after year, pig-in-the-pen-fashion, and with as little thought of justice or change of program.

NOW WHAT IS TO BE DONE? WHAT CAN HIRED MEN DO?

I lay down this proposition for them to think about, namely: It is useless to talk of *moral* force as long as the gate to gain is left wide open. As long as it is possible for one man to gain something by wronging another, just so long will you find him trying to do it. Therefore, the gate to gain by wronging another must be closed and the only thing that can be relied on to do it, is Law.

If courts were empowered to go behind wage contracts, as they always should have been, to inquire and enforce the payment of reasonable wages, that would quite effectually close that gate to gain and wipe out the motive of selfishness it fostered, which is, to beat hired men out of reasonable wages. But, if this gate was closed at this late day, after all the wealth that has come through it and been concentrated in the hands of a few, would it be effectual to relieve the people against other great wrongs they are forced to submit to by reason of such concentration? Would they still be left exposed to extortion by the greed of combinations that privately own so much of the earth and its industries? If so, laboring men, who must bring about reforms if we ever have them, should be ready to champion only those which promise to be sweeping and comprehensive enough to give permanent relief to all classes from every form of industrial oppression.

It is greed that makes employers willing to wrong their hired men out of reasonable wages, and courts favor employers because judges owe their positions to the politics they do.

Wants developed greed and greed developed rascals.

As wants increased, greed increased and rascals multiplied until they are now so rich and powerful they control the chief industries of the earth and force the workers to operate them on their own terms.

They have done politics and fortified their possession and control with laws and courts until they rule supreme and defy the power of those who toil.

They say when men may work and when they shall not. They regulate wages, fix the prices all must pay for what they consume and hold those in their employ in such complete subjection to their autocratic will that, if a few wake up enough to realize injustice and dare to squirm, they use the rest to put them down or drown their protests with cheers for those who systematically rob them.

THE BRIGANDS.

Suppose brigands infested our mountains, swooped down occasionally and carried off what they wanted, would we have any doubt about what we should do? Would we parley with them or send them sermons on morality? Would we send missionaries among them to tell them how wicked it was to rob us? To tell them they should be ashamed, reform and earn an honest living? Would we make a speech and say to them, "Gentlemen, it is all essential to the continuance of our healthy national life that we should recognize * * * the welfare of each of us is dependent fundamentally upon the welfare of all of us," and you should quit plundering? Would we waste any time in that way? Not much! We would say, this thing has got to stop and stop right now; we have stood it just as long as we will; and then we would organize and sweep through the mountains, caves and canyons until we had wiped out or captured every lazy, plundering, brigand, and put him to work.

That is what we would do in a plain case of that kind and we would not be divided in opinion about it, either.

Is not that right? And would we not do it quickly? Do you think it would take us long to decide that brigands were not necessary to our prosperity and would not be tolerated?

But would it not seem funny and ridiculous to hear of a great populous country somewhere that was being plundered by brigands, comparatively a very few, and the people could not decide what they ought to do about it? Where some were always reading books or listening to sermons and lectures about how brigands ought to be good and not rob people? Where others were contending that brigands were a good thing and others that they were a bad thing? Where some were advocating that they should be regulated and restrained, others that they ought to be wiped out and still others that they should be encouraged and every body else given the same privilege to rob? And such discussions had gone on for several generations without anything in particular having been done to stop the outrage, except talk, and in the meantime the brigands had grown stronger and bolder and taken part in politics and got control of the Legislature and courts and were defending their plundering career as respectable, lawful and right.

What would you think of the people of that great country? Would their stupid inaction amuse you? I fancy so, and possibly you would say they *deserved* to be plundered.

THE MOUNTAINEERS.

Suppose we should hear of an agricultural people living on one side of a range of mountains and a pastoral people living on the other side.

The agricultural people raised only grain, vegetables and fruit, and the pastoral people only horses, cattle and sheep.

In between them on the mountains lived other people who raised nothing at all, called the Mountaineers.

When the Mountaineers wanted grain, vegetables and fruit, they made a raid on the agricultural people and took it. When they wanted horses, cattle and sheep, they made a raid on the pastoral people.

When they got more grain, vegetables and fruit than they needed (which they always did) they took it down to their agents among the stock men to be sold to them, and when they got more horses, cattle and sheep than they needed they took them down to their agents among the farmers to be sold to them.

The stock men and farmers traded back and forth among themselves, more or less, but were unable to sell quite as cheaply as the agents of the Mountaineers, consequently the agents did a large business and soon had a great many friends on both sides of the mountains among those who dealt with them, made big profits and an easy living.

The stockmen, who devoted their whole time to their herds, did not like the arrangement very well, nor did the farmers, who devoted all their time to hard work and raising big crops. The agents seemed always able, somehow, to fix prices to suit themselves, and they fluctuated so much that neither the stockmen nor farmers could ever tell whether at the end of the season they would be able to make anything or not, no matter how hard they worked or how much they had to sell.

This uncertainty in market values was so plainly traceable to the manipulations of the mountaineers and their agents that it finally became a political issue to detehmine what should be done to give relief.

The regular producers of horses, cattle and sheep and of grain, vegetables and fruit, wanted the government to take hold of the matter and do something to put an end to the wild speculative methods of he Mountaineers and their agents, which they claimed was demoralizing and ruinous to those industries. They contended that "these people produce nothing themselves, but lived wholly on what others produce"; yet are able through their agents to push prices up or down as they please, on what others produce, and actual producers have nothing to say about it."

It happened, though, that there were two political parties and each claimed to be the only reliable friend of the stockmen and farmers and to represent the only principles and policies

that ever would or could give relief against the Mountaineers' system of commerce and "adequately" (whatever that was intended to mean) protect them. So some belonged to one party and some to the other.

Every man earnestly believed, and with a great show of wisdom argued, that his was the only sincere and honest party fit to be trusted to do the right thing and he either wanted to keep it in power or help it to get there.

All wanted the same thing, but half disagreed with the other half as to how to get it, so the vote of half always offset the vote of the other half, which was the same as if neither half had voted at all. The importance of that fact, however, they entirely overlooked in their enthusiasm for the success of "my party," if, indeed, they did not feel it was fully compensated for by the exercise of the great American privilege they all enjoyed of disagreeing with each other, and in the solemn performance of their sacred public duty as *free* men, of having it officially registered on election day. Consequently, they all took what they regarded as an active, manly part in every great political campaign and loyally marched in their respective party processions, each with a torch, float or flag, and whooped, hurrahed, drank, got drunk (the money of the Mountaineers paid for the whiskey but they did not know it) fought, yelled and generally made a day and night of it; their war-cry being: "Suppress the Mountaineers! Down with the agents!"

The agents, their tools, and other hangers-on of the Mountaineers who made an easy living by their rascally methods, most of whom were classed as "Christian gentlemen," believed, or professed to believe, that the whole system of the Mountaineers was a good thing for the country and should not be disturbed.

"The Mountaineers," they gravely contended, "are capitalists, and the prosperity of the country depends upon capitalists. They are necessary even to the stockmen, and farmers themselves who would be unable to get their stock and crops to market without their assistance, besides they are great consumers of what they both produce. They give employment to thousands of people and make business that gives employment to thousands more.

"They are enterprising. Their system may seem hard and oppressive at times, but it keeps money in circulation and makes things lively. It is foolish and suicidal in the stock men and farmers to wish to wipe out so essential a factor in their own prosperity," and so, all of this class, always voted as the Mountaineers directed.

The Mountaineers, themselves, being capitalists, nominally affiliated part with one party and part with the other for the purpose of being admitted to its counsels and help shape its platforms and nominate its tickets. Beyond that, they were independent and tied to neither, although they put up for both and stood in with the leaders of both; depending on their contributions to campaign funds to make them solid with

either administration, no matter who was elected; to see to it, with the help of the senators whose seats they paid for, that no policy should be pursued that would in any manner interfere with their free-booting schemes.

As the vote of the stockmen and farmers for the two old parties always about balanced, their political influence died with the casting of their ballots and the grievances they complained of against the Mountaineers were, therefore, left to the Mountaineers themselves to pass upon and settle.

Of course, the same question was up at the next election, but "loyalty to party" gave the same result, and so it did at the next, and at last accounts the same old issue was still up, having been passed on from one administration to another without anything having been done or any prospect that anything would be done.

The following is a summary of the regular thing:

The Mountaineers dictated the platforms, but let the stockmen and farmers think they did it.

They actually selected all the candidates to be nominated, but managed to make the stockmen and farmers believe they selected them, so they would nominate them and vote for them.

The stockmen and farmers did all the marching, all the shouting and nearly all the voting, but the Mountaineers shaped all the policies, made all the laws, executed them and sat at all the banquets and eat all the champagne dinners.

Question: Have you formed any opinion yet as to the political sagacity of these stockmen and farmers? Or as to what must have been the shape of their heads?

Now, if some one should ask you "are there any Mountaineers in the United States like those described, that is men who never produce anything, yet become very rich and use their money to rule in politics and shape the country's laws and policies in their own interests to exploit and oppress the common people, what would you say?" Would you say you never heard of any?

If you were asked "are there any voters who complain of being exploited by business combinations composed of rich men, yet vote the same tickets they do and trust them to right the wrongs complained of, what would you say? Would you say you never heard of any?

Stop and think. Is it your opinion that people who know they are being robbed are wise, to keep on voting with and implicitly trusting those who rob them to make laws and select judges and governors to stop it?

Which parties do you see all the rich men belong to, which do they support with their money? Which do they vote with? Which do they control?

Do they support a party because they expect it to help them, or to help some one else, you, for instance?

Do they expect the party they belong to to retain the system which enables them to exploit the common people or do they expect it to wipe it out?

If the rich support their party because it "stands pat" with their methods of making money, and their methods are to make it out of the people who do the work, why should the people who do the work vote for the same party the rich do?

How is it, anyway, that men who produce nothing can manage to become capitalists?

Oh! I see, they speculate on what other men produce; that is, they manipulate the prices on what others produce as did the Mountaineers and their agents and get rich doing nothing.

But if one can get rich doing nothing why can't everybody?

Because, unless somebody produces something there would be nothing to speculate in. It is therefore necessary that some people remain industrious and produce something before we can have capitalists.

Of course, those who produce, necessarily loose all it takes to make a capitalist and the more industrious they are and the more they produce, (no matter what) the more capitalists they make and the more capitalists they make the more they loose.

"Ah, I see!" says the producer, "I see how it is. We produce everything and everything we produce produces capitalists who take it.

"If what we produced had produced no capitalists then we should still have the equivalent of all we have produced.

"As it is, what we have produced, instead of making us rich has made us poor because, in proportion as production increased, capitalists increased and took it. They not only took what they needed, but nearly everything we needed; and worse still, they used it to still further head us off from enjoying what we may produce."

Exactly my friend, that is right. Your head is level, and this thing has been going on so long that most of you have come to believe that capitalists were here before producers; that is, the child is older than its father. That Capital created Labor instead of Labor creating Capital. That if it had not been for Capital, Labor, with the soil free, would have starved; that if Capital should emigrate, nothing could be produced any more and nobody could live, when the truth is that if Labor should emigrate, capitalists would starve, or have to go to work. That if there were no capitalists and none had ever been tolerated, the wealth they now call theirs would be equally distributed among those who worked hard and produced it; and if those who produced it had even what the capitalists have taken that they do not need, they would all be well fixed.

Take Mr. Carnegie, for instance. How much better off the men would be who earned the millions he is trying to give away for libraries if they had been paid the value of what they earned at the time they earned it.

Whose money is he trying to give away?

Even now, if he would hunt up the men who earned it and give back some of it, would it not be a far more righteous act

than giving it to people who earned none of it? If he did justice in that way, how much would he have left to buy castles with in Scotland, or libraries?

I once overheard a foreigner ask an old settler this question: "How is it, have you any brigands in this country?"

The answer he got was, "of the old sort, no," but we have corporations that can discount them and win. I assure you stranger that it would be impossible for an old-time brigand to compete with them and feel sure of a living."

I have often wondered since if that foreigner caught on to what he was driving at; of course *you see* it?

Now let me ask you, Mr. Hired Man, Mr. Producer, why have speculators and capitalists who never produce anything, but live on your labor, been tolerated so long and why are they tolerated now?

Is it for the same reason that the stockmen and farmers tolerated the Mountaineers?

They did not mean to tolerate them but voted with them and therefore, for them and so never got rid of them.

What are you doing?

Suppose the stockmen and farmers had become class-conscious; that is, realized that they did not belong to the Mountaineer class, but belonged to a separate class, the producing, industrious class, and had formed a party of their own, voted together and filled all the offices with men of their own class. What then?

Suppose you should do that? What then?

Some one will say, "they would have sold out and so would you."

No you would not. It would do no good.

Why?

Because you would adopt the Initiative and Referendum system of legislation and the Imperative Mandate which would put an effectual stop to boodling and all that kind of business.

Why don't the old parties you vote with now adopt those measures?

Because that would close a hundred gates to gain by which they rob others, and the capitalistic schemers who run the old parties do not want them closed.

SHALL YOUR CHILDREN BE MASTERS OR SLAVES?

Think of this. If a few men may own the earth, what hope have all the rest that their sons and daughters can ever be anything more than wage slaves?

Is that a nice fate to think of for the handsome little ones that now run to meet you and climb up on your knees when you come home from your work?

If it is possible for you to figure out any other fate for them under the present system, do it.

What has been your fate?

What are you now?

Are you satisfied?

Are you sure of your job or wages?

Would you like better conditions?

Would it seem good to be able to feel sure of always having employment at wages that would enable you to support yourself and family properly, giving them the advantages they ought to have. Would it?

Would it make you feel good to know your sons and daughters will be certain of an opportunity to earn a good living when they grow up and never need worry so long as they are willing to do their share. Would it?

Well, if you would like that change, do not be so foolish as to expect those who now make a profit on your labor, to ever try to bring it about. Your capitalistic masters will never emancipate you or your children as long as they can make a profit out of your labor or theirs.

You must emancipate yourself or you will never be emancipated; nor can you do it yourself until you break entirely away from the old capitalistic parties and go into politics on your own account with a party composed exclusively of your own class; that is, of toilers, like yourself, with not a single capitalist in it; for if he gets in, he will only be a wolf in sheep's clothing whose object will be to perpetuate the profit system.

Then, your party must stand for reforms that shall give the earth back to the people.

Labor has always footed the bills of government, does it yet and certainly has a right to see that the government is conducted on principles conducive to its interests, which it has not been.

It has been a government by capitalists, for capitalists and will be until Labor shall capture and control it.

Why haven't we had a Panama canal long ago?

Because the railroads did not want it.

Why haven't we had postal savings banks?

Because private savings banks did not want them.

Why haven't we had a parcel post?

Because express companies did not want it.

Why has an income tax always been defeated?

Because the millionaires did not want it.

But it is not necessary to specify, you already know all these things, but do you know why capitalists are able to do them?

Do you realize that *you* helped to put the power in their hands when you voted one of the old party tickets?

Do you think they care which is elected, Mr. Roosevelt or Mr. Parker, since both stand for the conditions they want?

Will they put up any campaign funds to help elect Eugene V. Debs, the Socialist candidate for president? Why not?

I do not urge the labor class to unite and vote with a party composed of their own class to capture the government and offices for the purpose of wronging the capitalist class, but for the purpose of stopping that class from wronging them.

Power to rule should be lodged in hands that will use it to protect the masses instead of classes.

Do you know what you want?

Unless you do you may vote wrong.

A vote is force, and if you vote for what you do not want, you use the force of your vote against yourself.

We have been and are now living under the capitalistic system; that is, a system where everybody is hoping and trying to be a capitalist, which you know is impossible under the competitive system, and the few who get there live off of the industry of the millions who do not.

Now, are we silly, or are we not, in continuing to want that system and keep on digging, making slaves of ourselves to support it and those who profit by it when we know it is out of all reason that it will ever come our turn to be capitalists?

Is it not better to stop now than to go on slaving and wronging ourselves and everybody else, only to finally fail and die?

There is only one way we can all be capitalists, one as much as another, so none will be extravagantly rich, none miserably poor and no failures; so every life may develop to its best and enjoy its rightful share of nature's rich gifts; and it would seem that the "Common People" would much prefer it to the present uncertain, worrying, grabbing life.

What do you think of it by this time anyway? How much have *you* succeeded in grabbing?

How much nearer are you now to being a capitalist than you were when you started?

Do you want to continue the corrupt system you have bucked against all your life and leave it for your children to buck against? Or would you rather swap it off for one under which all would be capitalists; one where it would be impossible for men with less conscience to get rich by doing things you would scorn to do? Think about that!

If you are still determined to hang on to the present system and wish to continue the struggle against such odds as

the Coal Trust, the Oil Trust, the Meat Trust, the Flour Trust, the Sugar Trust, the Railroad Combines and a hundred others you daily pay something to support, you want to be sure and vote one of the old party tickets—it does not matter which, but if you do not, and would like to get into a combine of your own, one in which you and your children will get just as big a rake-off out of the manufacture and transportation of things as Mr. Rockefeller, Mr. Morgan, Mr. Gould, Mr. Harriman, Mr. Hill, Mr. Baer, Mr. Spreckels or any of the other millionaires or their children, you must loose no time in getting into and voting with a party of your own class; one that stands uncompromisingly in favor of the people owning and operating on their own account, all things.

That is your hope and only hope of escape from extortion by privately owned monopolies.

That is also your only hope of saving your children from the certain fate of having to work all their lives at beggarly wages for those monopolists and other profit takers.

If you help your class to bring about that reform, the children of the present generation of millionaires (there will never be any more) will stand no better show for the enjoyment of Life, Liberty, Security and Happiness than your children. If your children must work for wages under the new system, so must theirs.

How would you like to burn oil and coal from your own wells and mines at the cost of production?

How would it suit you to get meat, sugar, shoes, etc., without having to pay a profit to a private monopoly or any body else?

Would it seem nice to ride on your own cars, finished as good or better than the present Pullmans?

Would it not seem nice to use your own gas and electricity supplied at cost, and pay water rates to yourself?

Think of the fine schoolhouses, good roads and beautiful public parks you could build and many other things you could have with the profits you now pay to private individuals who spend it in building million-dollar mansions, parks and drives for themselves?

Think of the long rides you and your family could take and the sights you could see for the bare cost of it, under a Co-operative Commonwealth?

Think of how many more men and women would be employed to better every branch of the public service and lessen the danger of accidents, and that they would be paid by money that formerly went to pay extravagant salaries to useless private officials?

Think of all these things and many others you would get the benefit of by virtue of public ownership, and then decide if you will vote to have them or stand by the old parties, let the capitalists continue to skin you and never get them?

Concentration and Co-operation is perfectly natural and right and can never be stopped.

The thing to do is to shift it from private to public use and benefit.

Now is the time to "take the bull by the horns" and do something.

Do not let an election pass without using your vote to help force a change—not from one old party to another, but to a party that stands for those things.

Your vote will not be wasted even if it does not bring it now. It will be wasted if you vote for what you do not want.

A Co-operative Commonwealth will not be likely to come all at once, but it will come. Everything that is privately owned by which the public is robbed, is a gate to private gain at public expense and it must be closed and closed as quickly as possible. Every time one of these gates is closed, a motive of selfishness is destroyed.

The Capitalist System is the Profit System and is supported by a single prop.

The prop is, Profits on the Labor of Others.

Knock it out and the system goes down.

Capitalists will never do it.

It must be done by the men they rob, and

THE WAY OUT

is, that way which will knock it out completely.

The substitution of PUBLIC OWNERSHIP of the MEANS of human existence for *Private Ownership* of those means, will do it.

Nothing else can.

Then, all men would in *fact* enjoy their constitutional, inalienable right to LIFE, LIBERTY, SECURITY and HAPPINESS.

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